



# Daily News Bulletin

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81<sup>st</sup> Year

## TOP NEWS IN BRIEF

### U.S.-Palestinian ties discussed

President Clinton is considering ways to establish formal ties with the Palestinian Authority.

During more than an hour of White House discussions with Yasser Arafat on Tuesday, Clinton and the Palestinian leader "talked at some length about the arrangements that will exist when the United States can engage formally with the Palestinian Authority," said White House spokesman Mike McCurry.

### Hamas bomb factory found

Palestinian officials arrested a Hamas activist after finding nearly a ton of explosives in his home.

The bomb factory was located in a two-story home right next to Palestinian police headquarters on the outskirts of the West Bank town of Hebron.

Meanwhile, Hamas founder Sheik Ahmed Yassin acknowledged that Israeli and Palestinian security forces were thwarting his group's plans to carry out an attack against Israel. But, he added, a "response will come at the appropriate time, even if it is delayed."

### Pollard agreement denied

Israeli and American officials denied a report that President Clinton agreed on steps that would lead to the release of Jonathan Pollard from prison, where he is serving a life sentence for spying for Israel.

White House spokesman Mike McCurry said Israeli Prime Minister Benjamin Netanyahu briefly raised the issue during a private meeting earlier this week with Clinton.

The president "accepted the expression of concern made by the prime minister, but indicated that there was no change in our views on the matter and certainly no agreement," McCurry added.

### Report: Jet had chemicals

An El Al cargo jet that crashed in Amsterdam six years ago was carrying chemicals used to manufacture Sarin nerve gas, a Dutch newspaper reported.

The burning chemicals may have been responsible for the health complaints registered by residents of an apartment complex in the Dutch capital after the Oct. 4, 1992, crash, which killed 43 people.

Israeli officials confirmed that the plane was carrying chemicals, but added that the materials were non-toxic and that all appropriate bodies were notified at the time about the nature of the shipment.

## FOCUS ON ISSUES

### Supreme Court may resolve debate over school vouchers

By Daniel Kurtzman

WASHINGTON (JTA) — The debate over school vouchers, a source of long-running and often bitter contention in the Jewish community, could be resolved in the coming term of the U.S. Supreme Court.

In June, the Wisconsin Supreme Court handed a major victory to voucher advocates when it upheld as constitutional a program in Milwaukee, one of only five pilot voucher programs in the United States.

The decision marked the highest-level court decision to date on the controversial idea of giving families taxpayer dollars to use at private or religious schools.

With an appeal to the Supreme Court pending, the Wisconsin case has emerged as a likely candidate for a landmark ruling by the justices on the constitutionality of vouchers.

As the court opens its term Monday, the docket so far contains only a few cases of interest to Jewish legal activists, including a dispute over how the government should conduct the 2000 census and a case related to El Al Israel Airlines' security procedures.

The justices, however, plan to determine most of their caseload in the coming weeks.

The debate over school vouchers has sharply divided the Jewish community.

Most Jewish organizations oppose vouchers, saying it violates the separation of church and state while undermining public education. But many Orthodox and politically conservative Jews favor the idea, arguing that vouchers are needed to provide better access to a quality Jewish education.

Now, both sides have finally reached consensus on at least one issue: The time has come for the Supreme Court to settle the matter.

Jewish groups on both sides of the debate have filed friend-of-the-court briefs urging the justices to rule on vouchers and clarify what has long been a nebulous area of First Amendment law.

"Both sides have agreed that they want the Supreme Court to take this case sooner rather than later," said Nathan Diament, director of the Orthodox Union's Institute for Public Affairs, which supports vouchers and joined in a brief asking the justices to hear the Wisconsin case.

The American Jewish Congress, the American Jewish Committee and the Jewish Council for Public Affairs, all of which oppose vouchers, submitted a brief urging the justices to "bring order to the discordant approaches" the court has taken in church-state cases.

The Anti-Defamation League is filing a similar brief of its own.

With the outcome of any ruling on vouchers far from certain, some Jewish legal activists acknowledge that the appeal to the high court carries definite risks. But most agree there is a dire need for clarity in the law and that putting off the question serves no one's interests.

Whether the Supreme Court sees it that way remains to be seen. The justices may well decide to wait for additional lower courts to weigh in on the issue before taking up the matter themselves.

"The court has been conspicuous in the last year or two in avoiding church-state cases," said Marc Stern, co-director of the AJCongress' legal department.

But if the justices do hear a voucher case, he added, it has the potential to be "one

## MIDEAST FOCUS

### Two grenades thrown in Hebron

At least 13 Israeli security officials and 11 Palestinians were wounded after a Palestinian threw two hand grenades at an Israeli patrol in Hebron.

Israeli troops shot and wounded the attacker before he fled into the Palestinian-controlled part of the volatile West Bank town. Israel imposed a curfew on the portion of Hebron under its control and called on Palestinian police to apprehend the suspect.

### Premier pays tribute to fallen

Israeli Prime Minister Benjamin Netanyahu paid tribute to the 2,700 Israeli soldiers killed in the 1973 Yom Kippur War.

The soldiers' heroism brought "our southern enemies to recognize that they haven't the strength to defeat us on the battlefield" and paved the way toward the 1979 peace treaty with Egypt, the premier said at a ceremony on Jerusalem's Mount Herzl. About one of every 600 Israeli men was killed in the war.

### Bomb explodes near Ramallah

A Hamas militant was killed and two others wounded when a car rigged with explosives blew up Tuesday near the West Bank town of Ramallah.

Israel, which has been bracing for Hamas terror attacks, imposed a closure on the West Bank and Gaza Strip until the end of Yom Kippur.

### Report: Israel helped inspectors

Israel reportedly gave U.N. inspectors many of their best leads regarding Iraqi weapons of mass destruction. The United States supplied raw intelligence photos of Iraqi sites to the United Nations Special Commission that Israeli officials analyzed for weapons inspectors, according to The Washington Post.

Israeli intelligence officials also supplied specific information on the program, including physical descriptions of trucks and depots used by the Iraqis to move banned materials.



## Daily News Bulletin

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of those monumental decisions that come along once in a generation."

On another front, some activists have taken a keen interest in the way the government plans to conduct the 2000 census.

The court agreed in September to hear the Clinton administration's appeal of a ruling that barred the use of statistical sampling in counting the nation's population.

Both the Clinton administration, which is responsible for conducting the census, and the House of Representatives, which brought a successful lawsuit blocking the Census Bureau's plan, urged the court to rule on the matter.

The Constitution requires that "actual enumeration" of the population be done every 10 years, but officials disagree over how to get an accurate count.

The Clinton administration and other Democrats argue that the traditional head-counting method ends up missing millions of people.

Instead, they want to combine those results with a statistical sample that relies on information from a representative group to estimate the number and demographic characteristics of Americans who fail to answer questionnaires or are missed in door-to-door surveys.

Congressional Republicans argue that in addition to being unlawful, sampling procedures could become subject to political manipulation.

The Bush administration acknowledged that it missed 4 million people in the 1990 census, but refused to make a statistical adjustment to correct it.

Poor people and ethnic minorities were disproportionately undercounted — the census missed about 2 percent of the overall population, but left out 4.8 percent of the black population and 5.2 percent of the Hispanic population.

The problem carries important political ramifications because those groups are more likely to vote for Democrats and because the census determines the boundaries of congressional and state legislative districts.

Jewish interest in the issue stems from the community's "historic concern" for the needs of minority groups, said Jeffrey Sinensky, legal director and general counsel for the AJCommittee.

But because the census also determines the distribution of billions of dollars of federal aid to communities, there could also be implications for Jewish federation agencies.

Some legal observers said a more accurate count of those living in poverty could net more federal funding to certain communities, which could in turn have a positive impact on the various grants Jewish federations receive.

"The best way to assure that those in the Jewish community receive what they should receive is to make sure that the count is as accurate as possible," Sinensky said.

Oral arguments in *Census Bureau vs. House of Representatives* are scheduled for Nov. 30, with a decision expected sometime next year.

Another case taken by the court involves El Al and could affect the Israeli airline's security measures.

An appeals court last year found that Tsui Yuan Tseng, a clinical nutritionist at Beth Israel Medical Center, could sue the airline under New York personal-injury law for emotional trauma she claims stemmed from a stringent El Al security search.

The incident occurred in 1993, when Tseng, while checking in for a flight from John F. Kennedy International Airport in New York to Tel Aviv, was classified as a "high-risk" passenger, confined for more than an hour, questioned and subjected to a search by a female security guard of her entire body, including her breasts and groin area.

Tseng sued for \$5 million, accusing El Al of false imprisonment, inflicting psychological and emotional injuries and damaging or losing some of her personal belongings.

The airline, backed by the Clinton administration, has argued that it is not liable because an international treaty known as the Warsaw Convention covers all injuries sustained during international air travel.

Although the immediate issue before the high court is the viability of the Warsaw Convention — and not El Al's security practices — some legal experts say that if the airlines becomes subject to liability, it may cause El Al and other carriers to reconsider some of their practices. □

## JEWISH WORLD

### Lautenberg Amendment expires

The U.S. law that gives Jews from the former Soviet Union relaxed rules for proving that they are fleeing persecution expired Thursday. Under the law, known as the Lautenberg Amendment, after its original sponsor Sen. Frank Lautenberg (D-N.J.), Jews can immigrate to the United States as refugees without proving a specific fear of persecution.

Sens. Lautenberg and Arlen Specter (R-Pa.) have vowed to renew the law before Congress adjourns for the November elections. Jewish activists say a short-term lapse in the law will not affect the long-term immigration program.

### Clinton to implement waiver

President Clinton plans to implement a national security waiver later this year to avoid moving the U.S. Embassy in Israel from Tel Aviv to Jerusalem.

Under the 1995 Jerusalem Embassy Relocation Act, the president had to certify by Oct. 1 that the embassy will be in Jerusalem before May 1999 or lose 50 percent of the State Department's budget for maintenance and construction of all U.S. embassies. Clinton vowed when the bill became law to enact the waiver until the Palestinians and Israelis negotiate the final status of Jerusalem in peace talks.

### California to help survivors

California will aid Holocaust survivors in their claims against European insurance companies under two bills signed by Gov. Pete Wilson.

One bill provides \$4 million to enable state Insurance Department investigators to go to Europe and comb the files of major insurance companies that have been unwilling to honor Holocaust-era claims.

The second bill signed into law will enable claimants not to pay state income taxes on recovered Holocaust-era assets from banks, insurance companies or the return of looted art.

### Bill aimed at judgments

A U.S. Senate-House conference committee agreed on a bill intended to make it easier for Americans to collect on judgments against nations that sponsor terrorist attacks.

The bill authorizes the courts to seize property owned by countries found responsible for sponsoring terrorist attacks, even if the assets are blocked under U.S. sanctions.

The family of Alisa Flatow, an American Jewish student killed in a terrorist bombing in Israel, has been attempting to collect on a \$247.5 million judgment against Iran by gaining access to frozen Iranian assets in the United States.

The Clinton administration has argued that U.S. law prohibits such a move.

## Jewish prosecutor harassed in town led by National Front

By Lee Yanowitch

PARIS (JTA) — Ever since the extreme-right National Front won control over the Mediterranean port city of Toulon, French prosecutor Albert Levy has been working in a war zone.

But after police showed up at his home there early one Sunday morning last month and dragged him off to jail, he has been living a nightmare.

A determined enemy of corruption in the area of France with the highest rate of white-collar crime, Levy's work over the last eight years has often resulted in his establishing links between an organized corruption network and local politicians.

When the xenophobic and anti-Semitic National Front won control of the Toulon municipality in 1995, Levy began receiving death threats and the extreme-right press launched an anti-Semitic campaign targeting him.

Yet he persevered in his work.

When the wife of National Front Mayor Jean-Marie Le Chevallier was found to be discriminating against non-Front members in filling city jobs, Levy refused to turn a blind eye and won her conviction.

Earlier this month, a local magistrate succeeded in doing what the anti-Semitic diatribes had failed to: taking Levy out of action.

The prosecutor, who is Jewish, has been placed under investigation for "violating judicial secrecy."

He is suspected of giving a local journalist court documents suggesting that members of the National Front municipality took bribes from a company awarded a contract to supply city school cafeterias.

Breaking judicial secrecy is a misdemeanor. But it is general practice in France, particularly in political corruption cases, with confidential court papers frequently appearing in newspapers.

It is part of a strategy by justice officials to publicize difficult and complex investigations.

But violators are rarely prosecuted, and few, if any, have ever been punished.

Nevertheless, Levy has been subjected to a series of humiliating measures entirely out of proportion with the accusations against him, including a ban on practicing his profession pending trial, his lawyers say.

He has been released from jail but is under judicial surveillance, and he has been ordered to consult court-appointed psychiatrists following an initial, summary examination which found he was "paranoid because he sees fascists everywhere."

"Is it odd to see a lot of fascists in a city controlled by the National Front?" his lawyer, Alain Jakubowicz, said in an interview.

"He is the victim of a political vendetta. They are not only trying to get revenge and keep him from pursuing his work, but they want to destroy him.

"If every magistrate, prosecutor or lawyer who violated judicial secrecy was banned from doing his work, the law courts would be empty," Jakubowicz said.

The left-leaning Magistrates' Union issued a statement supporting Levy and denouncing "the psychiatric alibi and the professional ban. Such measures are a troubling reminder of the practices used in authoritarian regimes."

Moreover, when the court psychiatrists examined the 47-year-old prosecutor last week, their questions focused on the fact that he is Jewish.

"How do you experience your Judaism?" they asked. "Did any of your relatives die in the Holocaust?"

While there is no clear proof regarding who may have orchestrated the campaign against Levy, his lawyers believe the National Front is behind it, with justice officials simply giving in to political pressure.

"These people are saying he's paranoid because he's Jewish. So what they really mean to say is that there shouldn't be any Jewish prosecutors in cities controlled by the National Front," Jakubowicz said.

"It's mind-boggling." □

## Uzbekistan refuses to renew visa for U.S. rabbi in Tashkent

By Lev Krichevsky

MOSCOW (JTA) — Uzbekistan has refused to renew the visa of an American rabbi who serves as the head of the Jewish community in the former Soviet republic's capital of Tashkent.

Rabbi Abba David Gurevitch, who was born in Russia and holds a U.S. passport, has worked in Uzbekistan since 1990.

His visa was regularly renewed until it expired a month ago. The Foreign Ministry declined to give a reason for rejecting his renewal application.

Gurevitch, the chief emissary of the Lubavitch movement for Central Asia, said he hoped the matter was merely a bureaucratic snafu. "I hope everything will be settled soon," Gurevitch said in a telephone interview from Tashkent.

Some members of the Uzbek Jewish community said they were alarmed by Gurevitch's visa problem.

Since his arrival in this Central Asian state, Gurevitch has played a crucial role in the renewal of Jewish life in the region. He has opened several Jewish educational institutions, including a Jewish day school in Tashkent. Some 30,000 Jews live in Uzbekistan, most of them in the capital.

The visa controversy comes in the wake of the country's new law on freedom of conscience and religious organizations, which came into force in May.

Under the law, all religious groups need to re-register with the authorities. At least one Jewish group — the Tashkent-based Jewish Education Center of Central Asia — has reported difficulties in obtaining permission to operate because of the law.

Human rights activists have described the law as harsh and discriminatory but the Uzbek government argued that such provisions are necessary to prevent the spread of Islamic fundamentalism.

The Jewish center, which is headed by Gurevitch, has served in recent years as an umbrella for Lubavitch activities in Uzbekistan and neighboring states.

The authorities said the center could not be registered because it did not have members in eight Uzbek regions as required by the law. But Jewish officials claim it is impossible for them to comply because Jews live in only six regions. □

## Latvia honors SS unit at reburial of 53 soldiers

By Lev Krichevsky

MOSCOW (JTA) — The remains of 53 Latvian SS troops have been buried with full military honors near the capital of Riga.

Nearly 1,000 people, including veterans of the war-time Nazi-subordinated Latvian Legion attended the ceremony Sunday.

The Latvian government did not participate. But some members of Parliament were reported to have been among the those attending the tribute to members of the Latvian SS Legion, which was formed in 1943 under a directive from Adolf Hitler.

The participation of government and military officials in a march of Legion veterans in March caused an uproar in Russia and was condemned by Jewish officials in Israel and abroad.

Leaders of major Russian Jewish organizations said at the time that they feared Latvia was drifting toward fascism. Some historians believe that members of the Latvian SS Legion helped Germans in massacres of Jews.

While the Latvian Legion was formally a division of Nazi Germany's elite Waffen SS, many Latvians view its veterans as patriots who fought against the Red Army, which occupied the Baltic country in 1940.

Many of the young Latvians who served in the unit were conscripted. The United States did not bar Latvian SS veterans from immigrating after World War II.

No military honors were provided for the reburial of the remains of 10 SS members earlier this year, in the wake of the controversy surrounding the March parade. □

## Swedish initiative may serve as model for Holocaust education

By Daniel Kurtzman

WASHINGTON (JTA) — In an attempt to ensure that money is not the last word on the Holocaust, an international task force of Holocaust scholars and government officials has launched a new project to promote Holocaust education, research and remembrance.

The task force, which includes representatives from the United States, Israel, Sweden, Britain and Germany, met last week at the U.S. Holocaust Memorial Museum to discuss education guidelines, progress on archival access and a Swedish education booklet that might be adapted for international use.

The meeting came two months prior to an international conference in Washington on Holocaust-era assets, during which the task force intends to highlight its efforts. The Holocaust museum and the U.S. State Department plan to host the gathering of some 40 nations, a follow-up to last year's London conference on Nazi gold.

Stuart Eizenstat, the U.S. undersecretary of state for economic affairs, said the events of the past few years and the focus on attaining financial compensation for Holocaust survivors has underscored the need for an international focus on education.

"The last word on the Holocaust should not be money," Eizenstat, who is heading up the educational effort, said at a news conference prior to the group's meeting.

"The last word on the Holocaust should be an exposition of the truth about its dimensions, about the way in which it occurred, the circumstances that led to it and the lessons we can draw from it."

The idea originated in Sweden, which last year launched its own Holocaust education initiative and began distributing a booklet, titled "Tell Ye Your Children," in schools and homes. Earlier this year Swedish Prime Minister Goran Persson asked President Clinton and British Prime Minister Tony Blair to join in an international effort to promote Holocaust education.

Officials said they plan to use the Swedish booklet as a model that other countries can adapt to suit their own educational needs.

The task force is also developing a catalog of Holocaust education, remembrance and research efforts currently under way and working to open up all archives containing information related to the Holocaust. □