

The Files

June 7, 1948

Nathan B. Levin

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Americans for Haganah
(Conference with Mr. Hilmer of
Hilmer and Davis)

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As a result of several telephone conversations between Mr. Hilmer and the writer regarding the obligations of Americans for Haganah under the Foreign Agents Registration Act, Mr. Hilmer visited Mr. Foley's office on Friday May 28, 1948, at 5:00 p.m. for a conference regarding this matter.

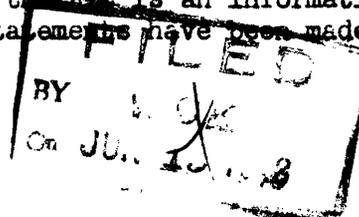
During the course of the telephone conversations previously mentioned, Mr. Hilmer stated that he was surprised that the Department had solicited the registration of Americans for Haganah on the basis of solicitation of funds for Haganah in Palestine. Therefore, at the outset of the conference, we showed Mr. Hilmer compelling evidence that Americans for Haganah had solicited contributions and funds for Haganah in Palestine.

Mr. Hilmer stated that Americans for Haganah was a volunteer independent American organization, organized and incorporated within the United States for the sole purpose of acquainting the American public with Haganah in Palestine. He claimed that the functions of the organization were similar to those of a news gathering company and that the organization undertook to procure for itself the best and most reliable information which it could obtain from various sources, including Haganah in Palestine, and thereafter it disseminated this information to the American public through its publication entitled "Haganah Speaks." Mr. Hilmer stated that in his opinion Americans for Haganah was in no way an agent of Haganah in Palestine since Haganah in Palestine contributed no funds, exercised no control or direction or supervised in any manner, shape or form the activities of Americans for Haganah.

Mr. Foley replied by pointing out the appropriate provision of the Act which states that any person who within the United States acts as a publicity agent for a foreign principal is an agent of a foreign principal within the meaning of the Act and, therefore, required to register. Several pertinent quotations from the organization's paper, "Haganah Speaks", were pointed out to Mr. Hilmer in an effort to show him that the relationship between Americans for Haganah and Haganah in Palestine was in fact much closer than he would admit. It was pointed out to Mr. Hilmer that Americans for Haganah has stated that it is an information office for Haganah in Palestine; that statements have been made stating

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that Americans for Haganah are in direct communication with Haganah in Palestine and similar statements of that sort.

When Mr. Hilmer saw that his arguments against requiring the registration of Americans for Haganah were unavailing, he pulled what appeared to be his trump card, namely, that he was given permission by Mr. Bartley Crum, an officer of both Americans for Haganah and the Zionist Organization of America, to disclose to us during this conference that the Attorney General had assured Mr. Crum during the course of the conference held a few weeks ago that the ZOA would not be required to register under the terms of the Act. This statement was allegedly made to Mr. Crum by the Attorney General on the very day that representatives of the Foreign Agents Registration Section were conferring with Mr. Wahl, Executive Secretary of AFH, regarding the obligations of AFH under the Act. Thereupon, Mr. Foley immediately closed the conference by stating that he had no knowledge of this private assurance given to Mr. Crum and since it was his belief that the Act should receive an even-handed administration he would not press for the registration of one organization while another organization similarly situated and similarly obligated to register was given special permission to avoid registration. Mr. Foley stated that he would have to look into this matter a little further and that we would advise Mr. Hilmer in the near future as to any course of action this Department would take regarding the registration of Americans for Haganah.