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ABC NIGHTLINE
18 October 1984

KOPPEL: With us now live in our Washington bureau is Allan Ryan, former director of the Justice Department office which investigates and prosecutes Nazi war criminals in America. In our New York studios, Charles Allen, journalist and author, whose soon-to-be-published book is entitled, 'From Hitler to Uncle Sam: How American Intelligence Used Nazi War Criminals.' And also joining us here in Washington, Ray Cline, former deputy director of the CIA, who served during World War II with the Office of Strategic Services. Mr. Cline, let me begin with you, and let's begin specifically with the Arthur Rudolph case. Should he have been forced to go back to Germany, or should he have been left alone? RAY CLINE (former deputy director CIA): I am inclined to think he should have been, ah, recognized as having paid whatever debt to society his, ah, World War II, ah, activities, ah, deserved because of his very deliberate effort to contribute his science and technology, which was of great genius, to the United States and to the strategic, ah, defenses of this country in the troubled period after World War II.

KOPPEL: So you can, in effect, set up a moral equation that says whether or not he was guilty, directly or indirectly, for the deaths of 5,000, 10,000, 20,000 people, whatever it was he did once he came to this country more than made up for it? CLINE: I feel that it was an exceptional contribution, ah, to our security interests. And I feel that, ah, the, the moral issue of his particular behavior in the circumstances at the end of the war should not, ah, ah, be allowed to offset this, ah, enormous benefit, which we deliberately sought and got from him. I feel a little sad to see him now, ah, deprived of his American citizenship and, ah, and made to feel a criminal-as an old man after all these years of trying to redeem a record which many Germans have tried to redeem.

KOPPEL: Ah, Mr. Ryan, you, you, ah, actually had to deal with this question in, in determining whether or not to go after him. Did you have a great deal of moral wrestling to, ah, to do on this? ALLAN RYAN (former Justice Department official): Well, it was an unusual case, Ted. But, I, I have to disagree with, with Ray, because I think the question you have to look at here is he came here illegally. He came here by deception. Had he told the truth, he would have been put on trial, as many others were. Ah, the Justice Department, for the last five years, has been, ah, ah, vigorously investigating and prosecuting people who did just what he did, although their contributions were not, ah, nearly comparable. The question is does the law apply to everyone. And if the answer to that question is yes, then it applies to Arthur Rudolph too. No one denies his contributions in this country. No one denies the value of, of what he has done here. But the Justice Department cannot be in the, in the business of making, ah, moral judgments. The law applies to him as it applies to everyone.

KOPPEL: Well, let's try and make a, a bit more of a moral judgment, though. I'm, I'm a little bit confused when you say he came in here illegally. He was

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brought in by U.S. officials, was he not? RYAN: Well, yes, he was. But the, the, ah, program, 'Project Paperclip,' ah, that was authorized by President Truman, said specifically 'No Nazi war criminals are eligible,' in, in so many words. Ah, he was, ah, investigated, not terribly thoroughly, but he was investigated, and he was asked about his background. And he said, 'I had

nothing to do with the slave labor camps at, ah, Dora.' And now, we know that that was quite, ah, ah, false. He had everything to do with them. So...

KOPPEL: Would I, would I be assuming too much if I assumed that the people who asked him those questions might, with a wink and a nod, have said, 'You weren't a war criminal, were you, ah, Mr. Rudolph?' RYAN: I don't know. I don't know whether, whether it was done that way or not. Ah, I think, had the investigation been pushed, ah, further, particularly in 1947, after he was already here but when the evidence of the concentration camps was well before us, I think certainly they, they, ah, could have found out.

KOPPEL: Well, I guess what confuses me is how was it possible 30, 40 years after the fact to re-create what apparently was so difficult to re-create immediately after the fact? RYAN: Because immediately after the fact there was

a, there was a great confusion. There was a lack of knowledge. What we have been able to do, what the Justice Department has been able to do, what Eli Rosenbaum did when he worked for me, which was a superb job, was to gather evidence in bits and pieces and assemble it into a mosaic and confront Arthur Rudolph with that and say, 'Now, what do you say?' And when he was confronted with that, when we sat down with him in San Jose two years ago, his, his defense, such as it was, was, 'Yes, I was there, but I had no control over the working conditions of the inmates.' And we know that that's not true because he

was in charge of that. ALLEN: Mr. Koppel?

KOPPEL: Yes? ALLEN: May I address myself to this point?

KOPPEL: Please. ALLEN: In the first place, the comments by Mr. Cline, who's formerly of the CIA, are classic, uh, a classic statement of CIA utilization not only of, uh, such war criminals as Arthur Rudolph, but others, which have been proven in instances, uh, quite a few instances. Secondly, uh, in terms of his illegality, that is Rudolph's illegality in entering the country, he came in under a government program that was fully given legality. As a matter of fact, in 1941, the law stated that those who supported the enemy were not unable to come here seeking citizenship. This was under the, uh, uh, Project Paperclip, uh, charter, which, uh, originated with the Joint Chiefs of Staff and was changed specifically so that they, those who were associated with the participation in the World War II on the side of the Fascists were able to come here. The use of him was known quite early. The fact that the Office of Special Investigations, I mean quite early, soon after World War II, that the OSI has recently put together this case which was put, done brilliantly by Eli Rosenbaum and the OSI, whose work is of a high level. Nonetheless, it is in no wise a real solution of the moral question of the employment of Nazi war criminals for whatever reasons, including space programs.

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KOPPEL: All right. Let me stop you right there, Mr. Allen, because, I, I, I think we're getting to the point that we really need to discuss right now, and that is, and I'd like to raise it first with Mr. Cline, the question of the moral culpability of the U.S. government in something like this. Does the U.S. government, when it weighs on the one hand the practicality of allowing these admittedly brilliant German scientists to go over to the Soviet Union or to close one eye and not press too hard to find out whether they were or were not war criminals... You have no trouble making that distinction. Would you explain why? CLINE: Well, Ted, you, you, you all three tend to, uh, assume a degree of culpability in the way you pose the questions. I, I want to emphasize

what was passed over rather lightly, that the period at the exact end of World War II was a period of some confusion about what had gone on in Germany and who was responsible for it. Hitler was dead. The SS ran the slave labor camps. We only gradually found the revolting circumstances in the extermination camps. It was a horrible situation, but I recall from those days a great effort to try to discover the dimensions of the activities and the precise responsibility of individuals for it, and it wasn't easy. People were studying these records a long time.

KOPPEL: No, I agree with you. I agree with you, Mr. Cline. CLINE: All right.

KOPPEL: And we were in a state of high moral dudgeon, which culminated in the Nuremberg trials. I'm merely suggesting that maybe those we tried were less useful to us than those we that allowed in the back door. CLINE: Well, what I think is that a different kind of moral responsibility rests with the leaders of governments, particularly in these troubled circumstances, the closing out of a horrible four-year war, to protect the interests of its own citizens and its own future security interests. There was a very clear understanding that the Soviet Union was becoming very brutal in its behavior in central Europe already in 1945, that it was trying to capture these German scientists and technicians and intelligence officers, and in fact, there was a major anti-Hitler conspiracy by, led by an intelligence officer named *Galvin on the Eastern Front to get the scientists, to get the intelligence officers to move to Bavaria and surrender to the Americans, because they wanted to make a retribution for whatever crimes they had committed and contribute to the welfare and security of the United States. Now that's a legitimate objective by the United States government to take advantage. ALLEN: Mr. Koppel?

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KOPPEL: Yeah. I'll tell you what. If you would do it briefly, please, Mr. Allen, and then we have to take a break. ALLEN: Yes. Galin, of course, was not an anti-Nazi. He was an unreconstructed Nazi, and as a matter of fact, it was his files of operations behind the lines of the Soviet Union that the Central Intelligence Agency used and employed, incidentally, some of the same brutalities used by Galin and his forces. CLINE: That's such, that's such obvious anti-CIA attitude. I really don't want to try to refute it, but it isn't true. I knew Galin well. I know the facts, and I don't think you do. ALLEN: I do know the facts, and I don't care how well you knew him personally. His objective role is very clear in history.