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REPORT BY THE
Comptroller General
OF THE UNITED STATES

Widespread Conspiracy To Obstruct Probes Of Alleged Nazi War Criminals Not Supported By Available Evidence-- Controversy May Continue

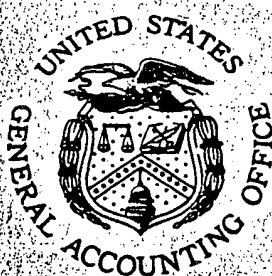
There was, in the past, a lack of progress by the Immigration and Naturalization Service in investigating and prosecuting alleged Nazi war criminals residing in the United States.

Controversy has existed as to whether the lack of progress was due to a conspiracy involving Service personnel and possibly other Federal agencies.

It is unlikely that a widespread conspiracy existed, but GAO cannot absolutely rule out the possibility of undetected, isolated instances of deliberate obstruction. GAO's investigation was hindered by the effect of the passage of time on the availability of information and limited access to agencies' records. In any event the inherent difficulty in establishing the existence of a conspiracy must be recognized.

Recently, Service efforts in this area have improved.

The Chairman, House Judiciary Subcommittee on Immigration, Citizenship, and International Law requested this report.



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INS files indicated that individual investigations were somewhat limited apparently because information and records about these individuals had been destroyed during the war or because information and records on individuals were from countries under Soviet jurisdiction and could not be obtained.

CIA

The CIA stated that an intensive search of its files for information pertaining to individuals on our list indicated there was no information on 54 or on any of the aliases or name variants we listed for them. For the remaining 57, summaries were prepared on the basis of information in the files and indexes. The summaries on 35 of the 57 individuals contained references to newspaper articles and other Federal agencies that may have information, correspondence with other agencies, and general background information. There was no indication the CIA had any contacts with them. Also, 10 of the summaries said the individuals were considered possible sources of information but were never contacted by the CIA.

The summaries on the other 22 individuals indicated that:

- One was assisted by the Agency for entry into the country under section 8 of the Central Intelligence Agency Act of 1949, with the concurrence of the Departments of Justice and State. The CIA informed us that the individual was a senior official of the German Foreign Ministry during the Nazi era, who was an expert on the Soviet Union, and that he was paid for his services while he resided here. The record shows he left the United States in 1953 and the earliest record of an allegation against this individual was not received by INS until years later.
- Seventeen were contacted by the CIA in the United States and one decided not to be involved. Of the other 16, 4 were paid for the information or services they provided. Also, 7 of the 16 had contact with the CIA prior to entering the country, 4 of whom were paid for their services.
- One was contacted and provided information before but not after he entered the country. He was not paid for his services.

--Two had not entered the country but were considered and contacted as sources of information. Only one of them provided information and was paid.

--One, not contacted while he resided in this country, contacted the CIA and volunteered information after he left.

The last known contact with any of these individuals was 1965.

The CIA stated that except for the one individual mentioned above it did not provide any type of assistance for the other individuals' entry into the United States. The CIA also stated that it had not intervened in or obstructed any INS investigation or prosecution concerning the individuals on our list.

CIA summaries did indicate the Agency was aware of allegations against some individuals during the time contact was made and information was provided. The CIA informed us that unproven allegations existed indicating that some of the individuals of whom operational use was subsequently made had been members of wartime German organizations. The CIA stated that its use of these individuals was not ruled out by these allegations against them because they had been screened by other Federal agencies and admitted to the United States. The Agency stated, however, that in no case did it make use of anyone against whom allegations of war crimes were well-founded.

Further, the CIA stated its contacts with these individuals came at a time when there was an acute shortage of intelligence on Soviet intentions and developments in Eastern Europe in general. The question of early warning against a Soviet attack was pressing, particularly in the period following the blockade of Berlin. The individuals concerned were all strongly anti-Communist and their willingness to cooperate and their knowledgeability were the definitive factors leading to their use by CIA.

FBI

The FBI stated that an intensive search of its central files did not identify information on 64 individuals regarding alleged Nazi war crimes or any of the aliases or name variants listed. Summaries were prepared on the basis of information in its files on the remaining 47 on our list.

However, even considering all of the factors listed, doubt will still persist as to whether there was wrongdoing. We recognize this dilemma. Thus, the publicity, interest, and controversy about INS' lack of progress may continue. The controversy may be compounded because legal delays, appeals, and other procedures, considered with the age of the individuals and potential witnesses make it doubtful that the Government will ever be able to deport many subjects of the allegations. Further, if cases involving evidence and witnesses from the U.S.S.R. or countries under its influence are not prosecuted or are unsuccessfully prosecuted, then these countries may very well use the controversy with these cases as examples for purposes of propaganda against the United States.

AGENCY COMMENTS

The Departments of Justice, State, and Defense commented that the report was a fair and accurate reflection of the record. (See app IV to VI.) The CIA's formal response was not received in time to be included in the final report. The Agency orally informed us that it agreed with the comments of the other agencies as expressed above.