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VISAS DONKEY
E.O. 12356: N/A
TAGS: CVIS, GE (SIX, FRANZ XAVER)
SUBJ: POSSIBLE INELIGIBILITY UNDER 212(A) (33)
REF: MUNICH 0933 AND USBERLIN 0692
1. VISAS DONKEY
2. SIX, FRANZ XAVER GERMAN
- JULY 9, 1906 NEUBURG/DONAU
- BAKER AND CONFECTIONER
3. MR. SIX APPLIED FOR A NON-IMMIGRANT VISA IN MUNICH ON
MARCH 9, 1983. AND WAS INTERVIEWED ON MARCH 18, 1983. HE
WAS VERY OPEN AND CANDID THROUGHOUT HIS TWO HOUR INTERVIEW.
HE PRESENTED ALL NECESSARY DOCUMENTS INCLUDING DENAZIFICA-
TION HEARING RECORDS AND RELEVANT CORRESPONDENCE. THERE
APPEARED TO BE NO DISCREPANCIES BETWEEN HIS INTERVIEW
STATEMENTS AND BDC SUMMARY.

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NAZI WAR CRIMES DISCLOSURE ACT
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4. MR. SIX MADE THE FOLLOWING STATEMENTS DURING HIS INTERVIEW. HE JOINED THE NSDAP WILLINGLY AS A 17 YEAR OLD IN 1923 AND REMAINED ONE UNTIL THE END OF THE WAR. HE STATED HE HAD BEEN BROUGHT UP IN A VERY PATRIOTIC FAMILY AND HAD ALWAYS BEEN TAUGHT TO BE LOYAL TO HIS "VATERLAND". HE WAS OF THE OPINION THAT THE NAZI REGIME WAS THE ONLY SOLUTION TO THE PROBLEMS IN GERMANY AT THAT TIME.

5. IN 1929, MR. SIX JOINED THE PARA-MILITARY R* GENERAL SS (SS-STURM) AS A SERGEANT. BEGINNING IN 1933 HE PARTICIPATED AND GAVE INSTRUCTIONS IN A COURSE FOR THE AUXILIARY POLICE SERVICE (HILFSPOLIZEI). HE SERVED IN THE 2ND ESCORT DETACHMENT OF ADOLF HITLER AND WITH VARIOUS OTHER UNITS UNTIL 1939.

6. MR. SIX SAID THAT HE HAD SIGNED AS A PROFESSIONAL SOLDIER WITH THE SS-VERFUEGUNGSTRUPPE, THE PRECURSOR OF THE WAFFEN-SS, FOR FOUR YEARS IN 1933 AND THEN RE-ENLISTED IN 1937 FOR AN ADDITIONAL EIGHT YEARS. HE REMAINED IN SUPPLY AND ADMINISTRATION DURING THE ENTIRE PERIOD. HE STATED THAT HE WAS QUICKLY PROMOTED TO SERGEANT, TO 1ST LIEUTENANT, 2ND LIEUTENANT AND THEN TO MAJOR BECAUSE OF HIS LOYALTY TO THE PARTY IN ITS EARLY YEARS.

7. DURING THE WAR HE SERVED AS A MEMBER OF THE SUPPLY ORGANIZATION OF THE SS DIVISION (DAS "REICH"). HE WAS IN CHARGE OF PROVISIONS, INCLUDING, FOOD, AMUNITION AND TRANSPORTATION. HE SERVED IN BOTH THE WEST AND THE EAST BUT WAS SELDOM INVOLVED IN ACTUAL FIGHTING, APART FROM HIS ASSIGNMENT TO CHRAKOV, RUSSIA IN 1943. HE REACHED THE RANK OF MAJOR AND WAS IN CHARGE OF APPROXIMATELY 400 VEHICLES AND 1100 MEN IN APRIL OF 1944. AS THE FRONT COLLAPSED IN THE EAST, HE MADE HIS WAY HOME. IN FEBRUARY 1945 HE WAS AUTOMATICALLY ARRESTED BY THE OCCUPATION AUTHORITIES IN BAD AIBLING AND TRANSFERRED TO FREILASSING WHERE HE WAS INTERNED FOR APPROXIMATELY THREE YEARS.

8. CONOFF HAS CAREFULLY CONSIDERED MR. SIXS' POSSIBLE INELGIBILITY UNDER SECTION 33. ONE WOULD NORMALLY PRESUME THAT AN EX-MAJOR OF THE SS WOULD BE INELGIBLE. HOWEVER, MR. SIXS' STATEMENTS WERE VERY CANDID AND HIS PERSONAL DOCUMENTS CONFIRMED BY THE BDC SUMMARY. IN ADDITION, AN UNOFFICIAL CHECK WITH THE GERMAN GOVERNMENT ORGANIZATION TASKED WITH THE PROSECUTION OF NAZI WAR CRIMINALS THAT MR. SIX WAS NEVER ACCUSED OR CHARGED WITH NAZI CRIMES, DESPITE THE FACT THAT HIS RECORD AS MAJOR AND SS MEMBER WAS KNOWN. CONOFF NOTES THAT DURING HIS DENAZIFICATION HEARING IN 1949 HE WAS FOUND TO BE A GROUP II ACTIVIST ("BELASTETE") BECAUSE OF HIS RANK AS MAJOR AND THE VARIOUS DECORATIONS HE WAS AWARDED AND APPARENTLY BECAUSE HE SIMPLY DID NOT PRESENT SUFFICIENT EVIDENCE IN HIS DEFENSE. WHEN MR. SIX APPEALED THIS DECISION SEVERAL MONTHS LATER HE PRESENTED THREE NOTARIZED STATEMENTS WHICH INDICATED THAT HE HAD ACTUALLY ASSISTED VICTIMS AND ENEMIES OF THE NSDAP, HE WAS THEN DOWNGRADED TO GROUP III, LESSER OFFENDER ("MINDEBELASTETE").

9. IN SUMMARY, THE EVIDENCE SEEMS TO INDICATE THAT DESPITE HIS EARLY AND ENTHUSIASTIC MEMBERSHIP IN THE PARTY, MR. SIX BECAME A PROFESSIONAL SOLDIER IN 1933 (WITH THE WAFFEN-SS AND ITS PRECURSOR, THE VERFUEGUNGSGRUPPE). HE REMAINED IN

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ADMINISTRATION AND SUPPLY UNTIL THE END OF THE WAR, AND CONOFF IS AWARE OF NO EVIDENCE LINKING HIM DIRECTLY TO THE TYPE OF RACIAL AND RELIGIOUS PROSECUTION WHICH WOULD RENDER HIM INELIGIBLE UNDER SECTION (33). FOR HIS PART, HE ADMITS TO HAVE BEEN FULLY AWARE OF THE ANTI-JEWISH PROPAGANDA OF THE PARTY, BUT CLAIMS TO HAVE BEEN FULLY COMMITTED TO HIS CAREER AS A SOLDIER FROM 1933. THIS LEFT HIM NO TIME TO PLAY ANY TYPE OF ACTIVIST ROLE WITHIN THE PARTY. HE INSISTS THAT AS A PROFESSIONAL SOLDIER, AT LEAST IN HIS CASE, HE WAS IN NO WAY DIRECTLY INVOLVED IN RACIAL AND RELIGIOUS PERSECUTION WHICH CHARACTERIZED THE THIRD REICH.

10. UNLESS DEPARTMENT HAS DEROGATORY INFORMATION POINTING SPECIFICALLY TO SECTION (33) INELIGIBILITY, CONOFF RECOMMENDS THAT MR. SIXS' NAME BE DELETED FROM AVLOS AND AUTHORIZATION BE GRANTED TO ISSUE HIM A VISITOR'S VISA.

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