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FOR COORDINATION WITH State

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FOR CA/VO/L/C AND EUR/CE

E.O.12356: N/A

TEXT

TAGS: CVIS (SPILKER, KARL HEINZ AUGUST)
SUBJECT: SAO REQUEST - POSSIBLE 212(A) (33)
INELIGIBILITY

REF: (A) 84 STATE 347033; (B) 84 BONN 29698

1. IAW INA SEC. 102(3), AN A-2(TDY) VISA WAS ISSUED
9/9/87 TO THE FOLLOWING INDIVIDUAL:

SPILKER, KARL HEINZ AUGUST
DPOB: 5/3/21 BAD OEYENHAUSEN, GERMANY
OCCUPATION: CURRENTLY MEMBER OF THE GERMAN BUNDESTAG,
FORMERLY SS OFFICER

AVLOS SHOWS 83 DPT NOV 80.

2. REF A REPORTED DEPARTMENT'S FINDING THAT APPLICANT
WAS NOT INELIGIBLE UNDER 212(A) (33), AND SAID THAT
APPLICANT'S NAME WOULD BE DELETED FROM AVLOS. B1/B2
MULTIPLE INDEFINITE VISA WAS ISSUED AT THAT TIME. NAME
WAS NEVER DELETED FROM AVLOS.

3. BASED ON POST'S REVIEW OF APPLICANT'S FILE AND

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODS EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2001 2007

NAZI WAR CRIMES DISCLOSURE ACT
2000

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RECENT DEPARTMENT FINDINGS IN OTHER CASES, WE REQUEST DEPARTMENT'S ADVICE ON WHETHER CASE SHOULD BE RE-OPENED AND APPLICANT RE-INTERVIEWED. IF THE ANSWER IS NEGATIVE, WE REQUEST THE DEPARTMENT TO DELETE APPLICANT'S NAME FROM AVLOS.

4. WE NO LONGER HAVE THE NOTES OF THE CONSULAR OFFICER'S INTERVIEW WITH THE APPLICANT, BUT FIND HIS REPORT OF THE INTERVIEW - REF B - VERY CURSORY, PROVIDING LITTLE DETAIL UPON WHICH A DECISION COULD HAVE BEEN BASED. OUR MAJOR CONCERN LIES WITH THE FACT THAT APPLICANT SERVED WITH THE LEIBSTANDARTE **ADOLF HITLER** FROM DECEMBER 5, 1944. WHILE WE DO NOT KNOW WHETHER HE SERVED WITH KAMPFGRUEPPE PEIPER DURING THE BATTLE OF THE BULGE (COMPONENTS OF WHICH MURDERED U.S. PRISONERS OF WAR AT MALMEDY, BELGIUM), SUCH SERVICE IS ENTIRELY POSSIBLE. GIVEN THE DEPARTMENT'S RECENTLY-STATED POSITION THAT ATROCITIES AGAINST PRISONERS OF WAR COME WITHIN THE PURVIEW OF 212(A) (33), AND THE FACT THAT WITHOUT INTERVIEW NOTES OR MENTION OF THE MALMEDY EVENTS WE ARE UNABLE TO DETERMINE WHETHER THIS ISSUE WAS ADDRESSED AT THE TIME OF THE INTERVIEW, WE WONDER WHETHER THE APPLICANT SHOULDN'T BE RE-INTERVIEWED ON THIS PHASE OF HIS WAR SERVICE.
BURT

ADMIN
END OF MESSAGE

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