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VISAS DONKEY, EUR

DEPT. FOR CA/VO/L/C - BOB DOLCE

E.O. 12356: N/A

TEXT  
TAGS: CVIS, GE (MERTEN, RUDOLF EUGEN)  
COMBINE: COMPLETE

SUBJECT: SAO REQUEST - POSSIBLE 212(A)(33) INELIGIBILITY

REF: USBERLIN 01550

1. VISAS DONKEY

2. MERTEN, RUDOLF EUGEN, DECEMBER 11, 1924, WIESBADEN, GERMANY. APPLIED FOR B-2 VISA 09 JULY 90, INTERVIEWED ON SAME DATE. PLANS TRAVEL IN OCT 90 TO FORT LAUDERDALE, FLORIDA.

3. APPLICANT WAS REFUSED ENTRY IN THE U.S. BY INS ON 14 APRIL 90, DUE TO HIS ENTRY INTO THE TECS BY INS IN OCT 89 AS A SUSPECTED CONCENTRATION CAMP GUARD. APPLICANT'S NAME DID NOT APPEAR IN THE AVLOS (POST ENTERED HIM UNDER CODE 212(A)(83)). FULL VALIDITY B-1/B-2 WAS ISSUED AT

FOR COORDINATION WITH State

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THIS POST 21 OCT 82, AND SUBJECT TRAVELLED FREQUENTLY TO THE U.S. PRIOR TO HIS TURN-AROUND IN APRIL. HE THEN CONTACTED POST AND AGREED TO AN INTERVIEW TO DETERMINE HIS INELIGIBILITY UNDER INA 212(A) (33).

4. NARRATIVE. THE APPLICANT WAS INITIALLY ASKED IF HE HAD "TAKEN PART IN THE PERSECUTION OF PEOPLE BECAUSE OF THEIR RACE, RELIGION, NATIONAL ORIGIN, OR POLITICAL OPINION", TO WHICH HE ANSWERED "NO". MERTEN WAS THEN ASKED IF HE HAD EVER BEEN A MEMBER OF THE NATIONALIST SOCIALIST PARTY OF GERMANY (NSDAP), TO WHICH HE REPLIED IN THE AFFIRMATIVE. ASKED WHETHER HIS MEMBERSHIP WAS VOLUNTARY, THE APPLICANT ANSWERED HE WAS ENROLLED IN THE NSDAP "AUTOMATICALLY" WHEN HE REACHED IN AGE OF SEVENTEEN, DUE TO HIS THEN-MEMBERSHIP IN THE HITLERJUGEND YOUTH ORGANIZATION. WHEN PRESSED ABOUT THIS ASSERTION, THE APPLICANT THEN STATED THAT "OF COURSE" IT WAS A VOLUNTARY DECISION, BUT IT "WAS SOMETHING ONE DID" WHEN ONE WAS IN THE HITLERJUGEND. HE STATED THAT HIS DECISION TO JOIN THE NSDAP "WAS NOT POLITICAL, IT WAS THE STATE", SAYING IT WAS A MATTER OF PATRIOTISM. MERTEN SAID HE DID NOT HOLD A SPECIFIC POSITION WITHIN THE NSDAP. SUBJECT THEN EMPHATICALLY REFUSED TO ANSWER CONOFF'S QUESTION AS TO HOW HE FELT TODAY ABOUT THE NSDAP, ASSERTING THE QUESTION WAS "MEANINGLESS", AND THAT HE DID NOT ACKNOWLEDGE CONOFF'S RIGHT "OR ANY OTHER AMERICAN, ISREALI, OR FOREIGNER" TO SIT IN JUDGEMENT ON HIS ACTIVITIES DURING THE WAR. WHEN ASKED WHEN HE LEFT THE NSDAP, MERTEN REPLIED THE "MATTER HAD BEEN ACCOMPLISHED FOR (HIM)" AT THE END OF THE WAR, APPARENTLY ALLUDING TO HIS CAPTURE BY U.S. TROOPS IN 1945.

5. APPLICANT WAS THEN ASKED IF HE HAD EVER HEARD OF THE CONCENTRATION CAMPS IN GERMANY, AUSTRIA, OR POLAND DURING THE PERIOD 1933 - 1945. MERTEN INITIALLY ANSWERED NO, THAT HE DID NOT KNOW OF THE CONCENTRATION CAMPS EXISTENCE UNTIL AFTER THE WAR. DURING A LATER, UNRELATED DISCUSSION CONCERNING HIS MILITARY SERVICE, THE APPLICANT CONTRADICTED THIS STATEMENT, STATING HE HAD HEARD THE CAMPS DISCUSSED AMONG HIS MILITARY COMRADES DURING THE WAR, BUT BELIEVED THEY WERE RESERVED FOR HOMOSEXUALS AND POLITICAL OPPONENTS. "THEY (THE CAMPS) WERE NOT A THEME FOR US", MERTEN SAID. IN RESPONSE TO A DIRECT QUESTION POSED AT THREE DIFFERENT TIMES DURING THE INTERVIEW, MERTEN ASSERTED HE HAD NEVER SERVED IN A CONCENTRATION CAMP, NOR HAD HE EVER SEEN ONE. THE APPLICANT SHRUGGED WHEN ASKED IF HE KNEW HOW VICTIMS WERE SELECTED FOR THE CONCENTRATION CAMPS, SAYING "I DID NOT SEND PEOPLE TO THE CAMPS". WHEN ASKED HOW HE FELT NOW WHEN SHOWN PICTURES OF THE ATROCITIES COMMITTED IN THE CAMPS, THE APPLICANT QUICKLY STATED THAT THEY WERE "SHOCKING" (EINE SCHWEINEREI) AND "I AM SORRY THOSE THINGS WERE DONE IN NAME OF THE GERMAN PEOPLE". TO A FOLLOWING QUESTION ASKING WHY HE FELT THE ALLIES HAD PUBLISHED THE PHOTOS AFTER THE WAR, MERTEN REPLIED THAT THE ALLIES "HAD THE DUTY" TO PUBLISH SUCH PHOTOS.

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6. QUESTIONING THEN TURNED TO APPLICANT'S MILITARY SERVICE DURING THE WAR.

THE APPLICANT HAD PREPARED AN OUTLINE OF HIS MILITARY SERVICE DURING THE PERIOD OF OCT. 42 TO JUNE 46, WITH ALMOST EVERY DAY OF THAT PERIOD ACCOUNTED FOR. WHEN ASKED ABOUT THE EXACTITUDE OF THE CHRONOLOGY, MERTEN STATED HE HAD KEPT A DIARY DURING THE WAR AND HE HAD EXTRACTED THE DATES FROM THE DAIRY. THE SUBJECT INDICATED HE WOULD BE WILLING TO PROVIDE THE DIARY IF REQUIRED TO SUBSTANTIATE THE ACCOUNT. THE BALANCE OF THE INTERVIEW CONSISTED OF CLARIFICATION AND ELABORATION OF INFORMATION PRESENTED IN THE CHRONOLOGY. APPLICANT'S WARTIME ACTIVITIES WERE SPENT IN TWO UNITS: THE LEIBSTANDARTE-SS **ADOLF HITLER** (OCT 42 - OCT 43; AUG 44 - JAN 45) AND THE HITLERJUGEND DIVISION OCT (42 - AUG 44).

7. CHRONOLOGY: OCT 42 - JUN 46

-- 15 OCT 42 TO 22 JAN 43: JOINED WAFFEN SCHUTZSTAFFEL (SS) DIRECTLY FROM HITLERJUGEND YOUTH ORGANIZATION (HITLERJUGEND RANK: OBERSCHARFUEHRER). BASIC TRAINING IN BERLIN-LICHTERFELDE IN THE SECOND UNIT (EINHEIT) OF THE LEIBSTANDARTE-SS **ADOLF HITLER** (LSSAH), (FIRST SS PANZER DIVISION). UPON COMPLETION OF TRAINING ACCORDED RANK OF UNTERSCHARFUEHRER (NON-COMMISSIONED OFFICER, EQUIVALENT TO A SEARGENT IN THE U.S MILITARY). COMMANDING OFFICER: SS OBERST-GRUPPENFUEHRER JOSEF DIETRICK.

--22 JAN 43 TO 25 JAN 43: LEAVE IN PARIS, FRANCE.

--26 JAN TO 28 JAN: TRANSFERRED TO ARGENTAN, BELGIUM.

--29 JAN TO 31 JAN: EN ROUTE BAZOCHES (NEAR BERLIN).

--31 JAN TO 03 FEB: UNIT PREPARATION IN BAZOCHES.

--04 FEB TO 11 FEB: EN ROUTE (VIA TRAIN) TO SMORODIN, USSR.

--12 FEB TO 13 FEB: EN ROUTE TO LIPERDINE (NEAR CHARKOW).

--14 FEB TO 15 FEB: EN ROUTE TO POLTAWA - DABIGOBKA.

--18 FEB: EN ROUTE PARASKOWIWKI.

--22 FEB: EN ROUTE POLTAWA.

--FROM 27 FEB: DEPLOYMENT IN AREA AROUND POLTAWA.

COMBAT WITH SOVIET FORCES.

--12 MAR: WOUNDED IN CHARKOW. OPERATED ON IN A FIELD HOSPITAL.

--17 MAR: AIR-LIFTED TO POLTAWA.

--18 MAR - 23 MAR: HOSPITAL TRAIN TO ALTENBIRGE (NEAR ERZGEBIRGE, THEN PART OF GERMANY).

--23 MAR - 25 MAY: IN MILITARY HOSPITAL (ALTENBIRGE).

--26 MAY - 25 JUN: CONVALESCENCE LEAVE IN WIESBADEN, GERMANY. (NOTE: APPLICANT WAS BORN IN WIESBADEN AND HIS PARENTS MAINTAINED A RESIDENCE THERE DURING THE PERIOD OF THE CHRONOLOGY).

--26 JUN - 5 JUL: TEMPORARILY ASSIGNED TO SECOND CONVALESCENCE COMPANY (ZWEITEN GENESUNGSKOMPANIE), BERLIN, UNTIL FIT TO RETURN TO LSSAH. ADMINISTRATIVE WORK.

--6 JUL - 24 AUG: STAY AT SANATORIUM IN BAD SAAROW NEAR BERLIN.

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--25 AUG - 3 SEP: MILITARY HOSPITAL IN BAD SAAROW.  
--(3 SEP - 9 SEP: BREAK IN CHRONOLOGY)  
--9 SEP - 24 SEP: LEAVE IN WIESBADEN.  
--25 SEP - 12 OCT: ASSIGNED TO HARTMANNSDORF, GERMANY.  
--13 OCT - 14 NOV: TRANSFERRED TO HITLERJUGEND,  
TWELFTH SS PANZER DIVISION. (COMMANDING OFFICER: SS  
BRIGADEFUEHRER FRITZ WITT.) DEPLOYED TO BEVERLOO,  
BELGIUM WITH NEW UNIT.  
--15 NOV - MAR 16, 1944: NON-COMMISSIONED OFFICER  
TRAINING SCHOOL, POSEN-TRESDAU, GERMANY (PRESENT-DAY  
POLAND).  
--17 MAR - 19 MAR: EN ROUTE LAIBACH, YUGOSLAVIA.  
--20 MAR - 10 APRIL: DEPLOYED IN AREA AROUND LAIBACH.  
--11 APRIL - 20 APRIL: IN "LEADERSHIP SCHOOL"  
(FUEHRERSCHULE) IN CAMPRES, FRANCE.  
(20 APRIL - 6 JUNE: UNACCOUNTED FOR PERIOD.)  
--6 JUN - 8 JUL: DEPLOYED NEAR CAMPERS, FRANCE AFTER  
ALLIED INVASION. COMBAT WITH ALLIED FORCES.  
--9 JUL: WOUNDED NEAR CAEN, FRANCE.  
--10 JUL - 19 JUL: FIELD HOSPITAL TOURS (FRANCE).  
--20 JUL - 24 AUG: HOSPITAL TRAIN, CONVALESCENCE AT  
MILITARY HOSPITAL NAMUR (CINEY, FRANCE).  
--25 AUG - 31 AUG: TRANSFERRED BACK TO ORIGINAL UNIT.  
(LEIBSTANDARTE SS ADOLF HITLER). TRANSPORT BY RAIL TO  
BELGIUM.  
--(1 SEP - 4 SEP: UNACCOUNTED FOR PERIOD.)  
--5 SEP - 22 OCT: DEPLOYED NEAR LUETTICH, MALMEDY, AND  
WESTWALL (BELGIUM). SLIGHTLY WOUNDED SEP 17.  
--23 OCT - 29 OCT: WITH UNIT UNDER CARE OF DOCTOR IN  
STEFFEN, GERMANY.  
--30 OCT - 21 NOV: TRANSPORT AND REST IN HOLDORF AT  
DAMNE (GERMANY).  
--22 NOV - 27 NOV: TRANSPORT TO WEIDEN, GERMANY.  
--28 NOV - 30 NOV: IN WEIDEN.  
--01 DEC - 02 JAN 1945: DEPLOYED NEAR WEYENBACK,  
GERMANY.  
--03 JAN - SEVERELY WOUNDED.  
--06 JAN - DISCOVERED BY U.S. FORCES.  
--07 JAN - 15 JAN: U.S. MILITARY HOSPITAL, MILITARY  
TRAIN TO HEMSTEDT (GERMANY) AS P.O.W.  
--16 JAN - 12 APRIL: CONVALESCENCE IN VARIOUS U.S.  
MILITARY HOSPITALS.  
--06 JUN 1946: RELEASED FROM U.S. MILITARY INTERNMENT  
CAMP.

8. IN RESPONSE TO A DIRECT QUESTION, THE APPLICANT  
STATED HE HAD NEVER GUARDED SOVIET OR ALLIED PRISONERS OF  
WAR, NOR HAD HE EVER SEEN ANY. MERTEN DID STATE  
"THEREPROBABLY WERE SOME" DURING HIS DEPLOYMENTS ON THE  
EASTERN FRONT, "BUT THEY WERE BROUGHT BACK TO THE REAR"  
AND HE DID NOT HAVE ANYTHING TO DO WITH THEM. WHEN  
ASKED TO DESCRIBE HIS DAY-TO-DAY ACTIVITIES WHEN IN THE  
FIELD, MERTEN RESPONDED BY ASKING WHAT CONOFF HAD DONE  
DURING HIS MILITARY SERVICE AND THEN ANSWERED HIS OWN  
QUESTION WITH "THE NORMAL SMALL TASKS EVERY SOLDIER  
DOES". ASKED IF HE WOULD THEN DESCRIBE HIMSELF "AS A

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NORMAL SOLDIER", THE APPLICANT RESPONDED "NO", HE "WAS A VOLUNTEER IN THE WAFFEN SS". UPON REQUEST APPLICANT PRESENTED A PHOTOCOPY OF HIS DENAZIFICATION CERTIFICATE, DATED 30 OCT 46, WHICH CERTIFIED HIM AS IN "GROUP THREE" OF THE "LEAST AFFECTED" ("MINDERBELASTETEN") OF THE MEMBERS OF NSDAP.

9. PERSONAL ASSESSMENT OF INTERVIEWEE. MERTEN DID NOT ATTEMPT TO WIN CONOFF'S SYMPATHY DURING THE INTERVIEW. THE APPLICANT'S DEMEANOR VACILLATED BETWEEN ALOOFNESS AND ARROGANCE, AND MANY QUESTIONS WERE ANSWERED IN A BELLIGERENT MANNER. HE WAS CLEARLY PROUD OF HIS SERVICE IN THE WAFFEN SS. AT TIMES CONOFF FELT HE WAS SPEAKING TO AN ACTIVE DUTY WAFFEN SS NCO IN 1943, AND THAT THE ROLES WERE REVERSED: THAT CONOFF WAS BEING INTERVIEWED FOR POSSIBLE WRONG DOING. THE APPLICANT DID NOT EVEN ATTEMPT TO FEIGN CONTRITION FOR HIS ROLE IN THE WAR; EVEN HIS RESPONSE THAT THE CONCENTRATION CAMPS WERE "SHOCKING" WAS STATED IN A BORED, SOMEWHAT EXASPERATED TONE OF VOICE. THE SUBJECT REPEATEDLY (AND SOMEWHAT DISINGENUOUSLY) CHARGED THAT HE WAS BEING "PERSECUTED" BY THE U.S. GOVERNMENT, THAT HE HAD TRAVELED TO ISRAEL, ENGLAND, AND OTHER OF GERMANY'S OLD ENEMIES AND "ONLY IN AMERICA IS THIS HATRED FOR GERMANS." "UNFORTUNATELY EVEN SOME GERMANS FEEL THIS WAY" ABOUT THE WAR, HE STATED, SAYING HE HAD NO USE FOR SUCH TYPES. THE PERSECUTION THEME SURFACED SEVERAL TIMES DURING THE INTERVIEW; AT ONE POINT MERTEN REFERRED TO THE INS OFFICER WHO INTERVIEWED HIM IN FORT LAUDERDALE AS "DER BOESE JUDE" (THE WICKED JEW) AT WHICH POINT THE APPLICANT'S WIFE BROKE IN TO SAY "OF COURSE, WE HAVE NOTHING AGAINST THE JEWS". APPLICANT ASSERTED SEVERAL TIMES HE "HAD THE RIGHT TO TRAVEL TO THE U.S. -- I HAVE PROPERTY THERE!", REFERRING TO A CONDOMINIUM HE AND HIS WIFE OWN IN ST. PETERSBURG, FLORIDA.10. COMMENTS: BASED SOLELY ON THE APPLICANT'S RESPONSES DURING THE INTERVIEW, CONOFF DOES NOT BELIEVE SUBJECT SERVED IN CONCENTRATION CAMPS. THE APPLICANT'S DESCRIPTION OF HIS SERVICE WITH BOTH THE LEIBSTANDARTE-SSADOLF HITLER AND THE HITLER JUGEND UNIT GENERALLY MATCHED AN OPEN-SOURCE HISTORY OF THOSE UNITS AVAILABLE AT POST. ("WAFFEN SS" FROM THE "MEN AT ARMS" SERIES, PUBLISHED BY OSPERY BOOKS). HOWEVER, SEVERAL QUALIFYING OBSERVATIONS MUST BE MADE. DUE TO THE LIMITED INFORMATION AVAILABLE FROM THE BDC, IT WAS DIFFICULT TO UNCOVER DISCREPENCIES IN THE APPLICANT'S EXHAUSTIVE ACCOUNT OF HIS WARTIME ACTIVITIES. IN ADDITION, INTERVIEWING OFFICER DID NOT HAVE ACCESS TO THE INFORMATION WHICH LEAD TO SUBJECT'S NAME BEING INSERTED INTO TECS IN OCT 89; THAT INFORMATION WOULD HAVE BEEN USEFUL IN EXPLORING MORE CLOSELY SPECIFIC PERIODS OF MERTEN'S WARTIME ACTIVITIES. IT IS FURTHER POSSIBLE THAT THE APPLICANT'S SEVERAL PERIODS OF CONVALESCENCE FROM VARIOUS WOUNDS MAY HAVE TO BE FURTHER DOCUMENTED, AS IT APPARENTLY WAS THE PRACTICE TO HAVE SS SOLDIERS DO PERIODS OF CONVALESCENCE AS CONCENTRATION CAMP GUARDS. A LAST NOTE OF CAUTION CONCERNS APPLICANT'S ACTIVITIES

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NEAR MALMEDY, BELGIUM, DURING THE PERIOD OF 05 SEP - 22  
OCT 44. SOME EIGHT WEEKS LATER (17 DEC 44) THE UNIT WAS  
INVOLVED IN THE MASSACRE OF SEVENTY-ONE UNARMED U.S.  
PRISONERS IN THAT SAME AREA.  
RATTRAY

ADMIN  
END OF MESSAGE

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