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STATEMENT OF  
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BEFORE THE  
SUBCOMMITTEE ON IMMIGRATION,  
REFUGEES, AND INTERNATIONAL LAW  
HOUSE COMMITTEE ON THE JUDICIARY  
ON  
ALLEGATIONS OF NAZI WAR CRIMINALS  
RESIDING IN THE UNITED STATES

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Mr. Chairman and Members of the Subcommittee:

We are pleased to be part of your hearings this afternoon. As requested, our testimony is focused on a report we issued in June 1985 titled Nazis and Axis Collaborators Were Used To Further U.S. Anti-Communist Objectives In Europe--Some Immigrated To The United States. The report, requested by the Chairman of the House Committee on the Judiciary, was directed primarily at determining whether there were any post World War II U.S. government programs to help Nazi war criminals and collaborators immigrate to the United States and to conceal their backgrounds.

The essence of our report was that we found no evidence of any U.S. agency program specifically designed to aid Nazis or Axis collaborators to immigrate to the United States. But, intelligence agencies aided these types of aliens on an individual basis to immigrate. However, we cannot be sure, for reasons noted later, that we obtained all relevant information or identified all Nazi and Axis collaborators whom U.S. agencies helped immigrate. We also cannot generalize as to the total number of individuals whose immigrations were so assisted.

Some programs, designed for other purposes, may have aided aliens with questionable backgrounds to immigrate to the United States. Under the Paperclip project, whereby the United States employed and brought into the country German scientists, the policy not to employ war criminals may have been violated. For example, one scientist returned to Germany voluntarily and renounced his U.S. citizenship rather than face denaturalization.

and deportation hearings. Also, Section 8 of the Central Intelligence Agency Act of 1949 allows the CIA to bring 100 individuals a year into the United States for national security reasons regardless of their past.

In addition to these two programs, several programs aided the resettlement of U.S.-employed foreign agents. These programs resettled aliens in various countries including the United States. We looked at two resettlement programs but found no questionable immigration of aliens to the United States.

One program we identified was established by the CIA in the early 1950s, among other things, this program resettled some Soviet and East European defectors and some terminated CIA-employed aliens to other countries from the European area. Resettlement benefits accrued to aliens based on their cooperation, the length of their relationship with the United States, and the significance of their contribution to U.S. intelligence and its objectives. The documentation we reviewed showed that roughly 30 percent of these aliens were resettled in the United States and the majority of these were defectors. In addition, the documentation on the program and the cases we reviewed showed that U.S. immigration laws were respected.

In addition to the above resettlement program, the CIA during the mid-1950s initiated a program to bring to the United States aliens whose service had been completed but whose immigration was desirable to maintain the security of intelligence missions and the aliens' safety. A key feature of this program

enabled the CIA to conduct the background investigations required to assure that the aliens were eligible to immigrate. The State Department's visa personnel normally conduct such investigations; however, in these cases the CIA believed that security concerns warranted a revised procedure. With the cooperation of the State Department and INS, the revised procedure was instituted.

From a listing of aliens resettled, we identified and reviewed the files of all aliens with German or East European backgrounds who were old enough to have participated in the war and who came to the United States under this program, a total of 17 aliens. Our review did not identify any questionable background information that would have disqualified these aliens' immigrations. Before our review of their files there was no indication of Nazi or Axis affiliations.

Files at the agencies relating to our investigation were not catalogued by whether a person had an alleged Nazi or Axis collaborationist past. As a result, there was not a universe of pertinent files by which, for example, a sample of Nazis or Axis collaborators could be drawn. Selection of files to review, therefore, became more an investigative process than an audit process. Initially, we judgmentally selected 11 aliens to review from information provided by two private sources on 13 aliens. We subsequently reviewed U.S. intelligence personnel files on 103 other aliens including the 2 aliens not reviewed

from the initial allegations, in addition to organization and project files such as Radio Free Europe project files. Information in the agencies' files pertaining to the initial 11 aliens reviewed identified many of the other aliens. In reviewing their files, other aliens were identified but not all were reviewed. We reviewed only those files where other information indicated that the aliens may have been Nazis or Axis collaborators or members of Nazi or Facist organizations who either (1) had contact with or participated in U.S.-sponsored intelligence operations, (2) had immigrated or sought to immigrate to the United States, or (3) were notorious aliens who had an association with a Nazi or Axis collaborator who had been a contact of U.S. intelligence agencies.

Out of 114 aliens we selected for review, we identified 5 with undesirable or questionable backgrounds who were employed by U.S. intelligence agencies and who received some form of assistance to immigrate to the United States. In addition, we identified seven aliens with undesirable or questionable backgrounds who immigrated to the United States without any identifiable assistance. Among the five assisted aliens were: two alleged war criminals, a former Nazi Allgemeine-SS officer, a convicted conspirator in an assassination, and a traitor. In each of these five cases, the aliens were aided individually, not as part of a specific aid program for ex-Nazis and collaborators.

There were two cases where aliens were protected from investigation. In one case, we were unable to identify any action taken by an intelligence agency once it learned of derogatory information about one alien's wartime background; and in another instance, a subject, considered extremely valuable by U.S. intelligence, was brought into the United States under an assumed name. In the latter case, the CIA subsequently requested and received approval for the subject's permanent residence in the United States under Section 8 of the CIA Act of 1949. In both cases, the backgrounds of these individuals had been sanitized to some extent.

The use of Nazis and Axis collaborators by U.S. intelligence agencies was attributed to conditions following World War II. A series of rifts with the Soviet Union resulted in a deterioration in East-West relations and the spread of communism in Eastern and Western Europe led President Truman to declare a global commitment to fight communism.

Former U.S. intelligence officers told us and our review of intelligence files confirmed that ex-Nazis, including Gestapo, SS, and members of East European Fascist organizations, were employed by U.S. intelligence. However, as one former intelligence officer stated, the use of some of these aliens may have been a mistake but it was a mistake committed without malice. He added that their use was a matter of weighing their present value versus their past history. Another former intelligence officer also endorsed this present value justification. He told

us that if a person was a war criminal, the decision of whether or not to use him depended on what he could do for you.

Although we found no written guidance prohibiting the use of alleged war criminals or collaborators, we did find several instances where the use of some aliens was rejected because their wartime pasts compromised their usefulness. In some cases their use was rejected because knowledge of their employment would have been an embarrassment to the United States.

In conducting our review, we requested that the departments and agencies identify for us records or other sources of information on (1) alleged Nazi war criminals assisted by federal agencies into the United States, (2) any federal program or activity to assist alleged Nazi war criminals to enter the United States or aid them after their entry, and (3) any investigations or mutual studies related to the above. Additionally, we requested any and all information the departments or agencies had about the Office of Policy Coordination, a postwar covert intelligence agency.

We contacted the Office of Special Investigations, Department of Justice, which told us that of the cases they investigated, only one case, previously unknown to us, may have involved a U.S. agency and the immigration into the United States of an alleged war criminal. To date, the Department has received about 900 allegations of Nazi war criminals living in the United States.

During the course of the review we had access to thousands of classified and nonclassified documents at all of the departments and agencies. We were not denied access to any documents requested; however, intelligence agencies often assign projects innocuous names that do not reflect the projects' purposes. Therefore, we cannot be sure that we requested all relevant projects' files. In addition, some documents requested could not be located or had been destroyed. However, these instances were the exception rather than the rule. The deaths of certain officials and the unclear recollections by others of events from the post World War II era made it difficult and/or impossible to reconstruct certain events, circumstances, and situations.

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Mr. Chairman, this concludes my prepared statement. I will be happy to answer any questions you may have at this time.