

Maikovskis' Past Hurt Bid in '50s

By James Bernstein

New York—An 82-year-old retired federal immigration official testified yesterday that he had rejected an application by Boleslavs Maikovskis to enter the United States in 1950 but an appeal by the accused Nazi collaborator was successful, and he was admitted the following year.

Abraham E. Conan, who was a senior immigration officer in Hamburg, Germany, in 1950, testified before U.S. Immigration Judge Francis J. Lyons during the fourth day of hearings here to determine whether Maikovskis, 75, a retired carpenter who lives in Mineola, should be deported.

Maikovskis has been accused of complicity in the deaths of 20,000 Latvian Jews during World War II and was sentenced to death in absentia by a Soviet court in 1965. He is a resident alien of the U.S. and has denied participating in any World War II atrocities.

Conan, a tall, silver-haired man who wears thick glasses, occasionally glanced at Maikovskis during his testimony in the small courtroom on the 13th floor of the Jacob K. Javits Building at 26 Federal Plaza. As has been his custom since Monday, when

the hearings resumed following a four-year hiatus, Maikovskis sat expressionless, with his attorney, Ivar Birzens, and a Latvian interpreter, by his side. The case was delayed for four years during proceedings to determine whether videotapes of witnesses from Latvia were admissible. Justice Department attorneys said they plan to put Maikovskis on the witness stand today.

Since 1976, when the deportation hearings began, Maikovskis has refused to be cross-examined by government lawyers, citing his Fifth Amendment right not to give evidence that might incriminate him. However, he has told immigration interviewers that he played no role in the extermination of Jews in Latvia, and that the charges against him were "Communist propaganda."

Yesterday, Conan testified that he rejected Maikovskis's application to enter the United States on Sept. 5, 1950. In response to questions by U.S. Justice Department trial attorney Jeffrey Mausner, Conan said he turned down the application because "he [Maikovskis] was a member of the Latvian Aizsargi." Maikovskis has told government investigators that the Aizsargi was a Latvian fascist

organization formed to "keep order" in response to disruption by "certain criminal elements." He has never specified who those elements were.

Conan said Maikovskis appealed the ruling in Frankfurt the next year, and was granted permission to enter the United States. Conan said that in 1950, the Aizsargi was among organizations listed by federal immigration officials as "inimical" to the best interests of the United States, and that persons who belonged to it could not be admitted to this country. But by 1951, Conan said, the Aizsargi was taken off that list. He did not explain, nor was he asked why, the name of the group was removed.

Conan testified that had Maikovskis declared himself an official of a police force from the Latvian village of Rezneke—as the Justice Department alleges he was—his appeal would have been denied.

Earlier yesterday, Rosemary Carmody, a retired vice counsel for the State Department in Hamburg, who issued Maikovskis an entry visa, testified that she saw nothing on his application that would bar him from entry.

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