

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

UNITED STATES OF AMERICA:

File A11 655 361

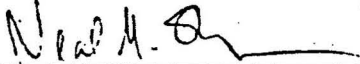
In the Matter of
KONRADS KALEJS


Respondent

Deportation Proceedings Under Section 242 of the
Immigration and Nationality Act

ORDER TO SHOW CAUSE

You are ordered to appear before an Immigration Judge at Miami, Florida, at a time, date, and place to be set by the Immigration Judge, and show cause why you should not be deported from the United States on the charges set forth herein. You will be notified of the time, date, and place of your hearing when it has been scheduled.


Neal M. Sher, Director
Office of Special Investigations
Criminal Division
U.S. Department of Justice
1377 K St., N.W., Suite 195
Washington, D.C. 20005
(202) 633-2502


Perry Rivkind, District Director
Immigration and Naturalization
Service
7880 Biscayne Blvd.
Miami, Florida 33138

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In the Matter of
KONRADS KALEJS

Respondent

ALLEGATIONS

Upon inquiry conducted by the Office of Special Investigations of the United States Department of Justice, it is alleged that:

1. You are not a citizen or national of the United States.
2. You are a native of Latvia and a citizen of Australia.
3. You were admitted to the United States for permanent residence on February 6, 1959 at Blaine, Washington, upon presentation of an Immigrant Visa and Alien Registration, which was issued on or about December 3, 1958 by the American Consulate General in Melbourne, Australia, pursuant to the Immigration and Nationality Act of 1952, 8 U.S.C. §1101 et seq.

Your Activities During World War II

4. Between 1941 and 1944, you resided in Latvia.
5. In or about June 1941, the armed forces of Nazi Germany invaded and occupied Latvia.
6. The occupation of Latvia by the armed forces of Nazi Germany continued until 1944 when those forces retreated from Latvia.

7. In June and July, 1941 you were a member of and organizer of the Self Defense Unit (also known as the "Selbstschutz" or "Pasaizsardziba") in Litene, Latvia.

8. In this position you assisted or participated in the persecution of persons on the basis of their political opinions.

9. During the early months of the German occupation of Latvia, a Kommando unit consisting of Latvians was organized by Viktors Arajs in Riga, Latvia.

10. This Kommando unit was officially known as the "Latvian Security Auxiliary Police" ("Lettische Sicherheitshilfspolizei" or "Latviesu Drosibas Paligpolicija") or the "Latvian Auxiliary Police with the Security Police" ("Lettische Hilfspolizei bei der Sicherheitspolizei"). It was also referred to as the "Latvian Security Section" ("Lettische Sicherungs Abteilung" or "Latviesu Drosibas nodala") or "Security Commando" ("Sicherungs Kommando" or "Drosibas Komanda") or "Arajs Kommando."

11. The Arajs Kommando was organized with the approval of the Nazi authorities and acted in association with and subordinate to the German Security Police and SD (Sicherheitsdienst).

12. The SD was a branch of the German Schutzstaffel ("SS"). Both the SD and SS were declared to be criminal organizations by the International Military Tribunal at Nuremberg, Germany. 6 F.R.D. at 136-143. Parts of the Security Police were also held to be criminal organizations by the Nuremberg Tribunal. Id.

13. The Commander of the Security Police and SD for the Ostland (Latvia, Lithuania, Estonia and Byelorussia) was the German SS General Walter Stahlecker.

14. The occupying Nazi authorities used the Arajs Kommando primarily to aid in the persecution and murder of those persons considered to be racially undesirable or enemies of Nazi Germany.

15. The Arajs Kommando persecuted and murdered thousands of unarmed Jews, Gypsies and other civilians throughout Latvia.

16. On July 29 or 30, 1941 you joined the Arajs Kommando.

17. During the Nazi occupation of Latvia, you served as a member and officer of the Arajs Kommando.

18. You served as a First Lieutenant and Company Commander in the Arajs Kommando.

19. You were stationed in Riga during the period from July 29 or 30, 1941 to January 1942. During this time, the Arajs Kommando murdered thousands of Jewish men, women and children in the forests surrounding Riga.

20. In January 1942 you served as a Company Commander of the Arajs Kommando, subordinate to the Commander of the Security Police and SD.

21. You remained in the Arajs Kommando until late 1944.

22. As a member of the Arajs Kommando and Security Police you assisted or participated in the persecution of persons because of race, religion, national origin, or political opinion, under the direction of or in association with the Nazi government of Germany or a government in an area occupied by the military forces of the Nazi government of Germany.

23. On December 7, 1944, you entered the 15th SS Grenadier Battalion of the Latvian Legion. You served in this SS unit as a First Lieutenant.

Your Immigration to the United States

24. On or about December 3, 1958, you executed Application for Immigration Visa and Alien Registration No. I 172667 (Form FS-256a) at the American Consulate General At Melbourne, Australia, wherein you claimed eligibility for admission to the United States under the Immigration and Nationality Act of 1952, 8 U.S.C. §1101 et seq.

25. When you applied for admission to the United States in 1958, in order to procure your Immigrant Visa and in order to enter the United States, you stated to American immigration authorities under oath that you had been a farm laborer in Nurmuiza, Talsi, Latvia from 1941 to 1944. You did not reveal the fact that, in truth, you had served in the Arajs Kommando, Security Police and SS during this period. In so doing, you willfully misrepresented material facts.

Your Admissions to the Department of Justice

26. In statements made under oath by you on March 1, 1984, you admitted to United States Government officials, for the first time, the following facts, inter alia:

- (a) You admitted that you had served as a Company Commander of a police company directly subordinate to General Stahlecker.
- (b) You admitted that you had served in the 15th SS Grenadier Battalion of the Latvian Legion, as a First Lieutenant.

(c) You admitted that you had misrepresented and concealed these facts when you applied for a visa to enter the United States.

CHARGES

ON THE BASIS OF THE FOREGOING ALLEGATIONS, it is charged that you are subject to deportation pursuant to the following provisions of law:

1. Section 241(a)(1) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1251(a)(1)) -- You sought to and did procure a visa or other documentation, or sought to and did enter the United States, by fraud, or by willfully misrepresenting material facts. In so doing, you were a member of the class of aliens ineligible to receive visas and should have been excluded from the United States under §212(a)(19) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1182(a)(19)).

2. Section 241(a)(1) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1251(a)(1)) -- You sought to and did procure a visa or other documentation, or sought to and did enter the United States, by fraud, or by willfully misrepresenting material facts. Thus, at the time of your application for admission to the United States, you were not in possession of a valid unexpired immigrant visa, and should therefore have been excluded under §212(a)(20) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1182(a)(20)).


3. Section 241(a)(2) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1251(a)(2)) -- You sought to and did procure a visa or other documentation, or sought to and did enter the United States, by fraud, or by willfully misrepresenting material facts. Thus, you were excludable at time of entry and are in the United States in violation of §212(a)(19) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1182(a)(19)).

4. Section 241(a)(2) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1251(a)(2)) -- You sought to and did procure a visa or other documentation, or sought to and did enter the United States, by fraud, or by willfully misrepresenting material facts. Thus, at the time of your application for admission to the United States, you were not in possession of a valid unexpired immigrant visa, and so entered and are in the United States in violation of §212(a)(20) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1182(a)(20)).

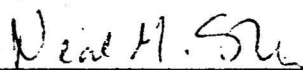
5. Section 241(a)(19) of the Immigration and Nationality Act of 1952, as amended (8 U.S.C. §1251(a)(19)) -- You ordered, incited, assisted, or otherwise participated in the persecution of persons because of race, religion, national origin, or political opinion between June 29, 1941 and May 8, 1945, under the direction of or in association with the Nazi government of Germany or a government in an area occupied by the military forces of the Nazi government of Germany.

WHEREFORE, YOU ARE ORDERED to appear before an Immigration Judge at Miami, Florida, at a time, date, and place to be set by the Immigration Judge, and show cause why you should not be deported from the United States on the charges set forth above. You will be notified of the time, date, and place of your hearing when it has been scheduled.

This 29th day of October, 1984.



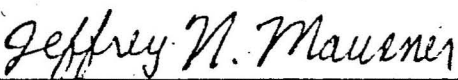
Perry Rivkind
District Director
Immigration and Naturalization
Service



Neal M. Sher
Director



Michael Wolf
Deputy Director



Jeffrey N. Mausner
Trial Attorney

Office of Special Investigations
Criminal Division
U.S. Department of Justice
1377 K St., N.W., Suite 195
Washington, D.C. 20005
(202) 633-2240

CERTIFICATE OF SERVICE

This is to certify that on November 30, 1984 I mailed a copy of the Order to Show Cause for Konrads Kalejs, by regular mail, postage prepaid, to Konrads Kalejs at the following address:

Konrads Kalejs
5821 41st St., North
St. Petersburg, Florida 35709

Jeffrey N. Mausner

Jeffrey N. Mausner
Trial Attorney
Office of Special Investigations

I-618 was also served at the same time.

Jeffrey N. Mausner