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Aleksei Kurgvel
Emigration Center
Villa D 6
WENTORF (24a)

4 Aug 1951

To Mr. W. Levis
c/o American Express Co
Brienner Str., Munich

Dear Sir:

I am writing to inform you of the last steps in my immigration affairs, as I promised you on phone yesterday.

On 24 July I was informed that I and my family have to appear before the BSI (Board of Special Inquiry) of the INS on 26 July.

On 26 July Mr. Lagerberg of the BSI asked me in presence of a higher official from Munich and Mr. Christiansen, the Representative of my sponsoring agency LWF, and his secretary-interpreter and my family, whether I allow to give to the IRO these confidential data on my war time activity which I gave to the American Authorities, so the IRO could re-check my eligibility under the Statute of the IRO in light of this confidential information.

I refused. Asked about the reason I told that by revealing my true confidential story to an international body I may betray to the communists a lot of honest and good people who have helped me during my escape from Estonia and those who worked together with me for my homeland during the war time, them all still being behind the "Iron Curtain". I told that I can not do that, even when this my refusal will cost my aspect of being admitted for immigration into the USA.

I was told then that in this case I have to undergo a special hearing of the BSI, who had received order from Munich to give my case a very thorough consideration. I asked this to be done as soon as possible. A day between 6 and 17 Aug was fixed, and Mr. Christiansen was asked not to schedule other cases for hearing on this day because my case will presumably take a whole day. Mr. Lagerberg told that the BSI will probably have to reject me, but in this case I have the right to appeal, and he advised me to do this, because I have received the US visa already.

On 30 July I was informed that I have to appear before the BSI on the next day already.

On the 31 July the hearing lasted nearly 3 hours. The Chairman, Mr. Lockwood, was in hurry. I was asked many times that I have to answer with "YES" or "NO" only, and I was not given enough time to give nearer explanations what to the motives of my activity. I drew the attention of the Chairman on the secret character of the answers I have to give in presence of Mr. Christiansen, who was foreseen as my attorney and her secretary, both non-American subjects, and of my wife and our 12 years old son (general regulation and routine in usual BSI cases). The Chairman answered that he does not find anything confidential in this case. On my repeated request my son only was allowed to leave the room.

In the end of the hearing I could only check whether the Board had in its disposition the many confidential letters and data I had given to the US DPC and the US Consulate during my processing with these authorities. I could submit a copy of my letter to the Consul, which the Board did not have received. The hearing was closed before I could give further details of my activity, especially the proofs against the accusation in collaboration which looked out from many questions asked by the Chairman. The other accusation

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seemed to fall under Sect 10 of the DP Act while I did not give the IRO the full report of my secret anticommunist activity. I was once more asked to render all my information to the IRO, which proposal I refused again.

It took the Board 20 minutes to pass a decision 2 v 1 for my refusal, based on sect.13 and sect 10 in connection with sect 2b of the DP Act. I was astonished. I was informed of my right to appeal and was asked whether I intend to do so. I confirmed this my intention.

During the nights of 1/2 and 2/3 August I copied some documentary proofs and wrote a letter to the BSI asking to reconsider the decision in light of these documentary proofs and my nearer expalantions given in this letter, which I could not give during the hearing. I thought that this would shorten a new unmerited and bitter waiting for months until a new decision will be passed by a higher authority. Mr. Christiansen, whom I asked to overgive this letter, gave me the good advise not to lodge this writing, because it was drawn under some exitement. On my insistance he consented to overgive three of the documentary proofs which I had added to this my letter. But even these were not accepted by the Chairman of the Board, under formal groundation that the hearin of my case has been closed already and I may add these proofs to my appeal.

Mr. Wagner, one of the members of the BSI who participated on the hearing of 31 July, and whom I think to be obliged for the "PRO" vote, has told Mr.Christiansen inofficially, that I may not despair that I have to appeal and my case surely will be won, although it may take a lot of time.

I, of course, do not think to despair, but, in any case, I do not understand why one has to undergo such a long procedure for 4 times already (with DPC, Consulate, INS and now with BSI)? Why have I to nerv myself for such a bureaucracy, when these my nerves could be used or are foreseen to be used for much more needed work? I am afraid the majority of the American officials in Europe do not understand or do not bother to understand what means 11 years of life under conditions like the majority of the Baltic refugees and displaced persons have been living since the communist and later the nazis occupied their states in 1940. The best machinery wears out when it is used under constant high-pressure or -speed for too long time. So it is with the human machinery and human nerves, however good they may have been once.

I have re-read all my letters to you and all your answers. I am very thankful to you for your help. But is there not something gone wrong way? Is it not so, that the INS in Munich, perhaps contrary to its will, has just erected new rocks on my way of immigration instead of evening this way? Perhaps they understood that you want my case checked once more by the channels of the INS!

My life and my war time activity is so clean and clear that I have nothing to hide before the competent American Authorities. Of course, I have done things of which I thought that these will cost my life. In many occasions, being under secret control of the SD (of which I was informed through my good friends) and simultaneously summoned before the German military authorities, I had the feeling that I will never come home again, as it was after I refused the communists proposal to work as their spy. But this all I did for my country only, and I am proud of this. This all I have reported to many competent American Authorities already, and these Authorities have found me to be a honest soldier. And now,

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one gentleman, who has scarcely read my confidential reports, treated me as if it was proved already that I was a selfish quisling!

I would be glad to be summoned to Munich together with all my papers, so I could give you even more information on my activity than I could do this during our last meeting. I am ready to undergo any further investigation which will be found necessary. But in this case I think to have the right to be heard duely and not to be compelled to sometimes idiotic "Yes" or "NO"-answers, where an explanation only can give the right lightening. When confronted with such a board I must have the assurance that the confidential information I have given already and which I will give, will be treated with due precaution. During the hearing of 31 July this was not the case. My immigration file was declared confidential by the US DPC. It was confidential during my processing with the US Consulate and the INS on 3 July. But the Chairman of the BSI Mr. Lockwood neglected this, and I do not know whether the last request I made to the Board during the hearing, that my information be kept and treated with due precaution as a confidential matter, was recorded and satisfied, although it was translated by the interpreter into English (the hearing was held in German language, because I was warned that when I choose the English then I have no right to blame the Board when I do not understand the questions properly or will not be able to express my answers duely).

This affair with the INS - BSI has cost me a full month already Now I will have to wait for:

- 2-3 weeks until the written decision of the BSI, on which only I can write the appeal, will reach the LWF;
- 1-2 weeks during which the appeal has to be elaborated;
- ? weeks or months until my appeal will be read and decided upon by a higher authority in Munich.

Have I the right to wait for so long and unlimited time? May I neglect the suffering of Mrs Kurgvel who does not awaite understanding any longer from the bureaucratical machines who are acting in some American immigration authorities, who do not count the real life and the high sense of the appropriate laws, but clinch to the letters of these laws only?

Till now I have postponed our Canadian affaire because I hoped that with your help I may pass all the difficulties, and I will be able to do my soldier's duty. But I am not sure if you like and will be able to wait for so long until I will have won all the special obstacles on my way.

Not wanting to commit any new faults (one I have done already by asking you to contact the INS), I ask you to tell me your oppinion as soon as possible. Please do understand that every day we are waiting, is a real torture for us.

I am afraid that the IRO authorities here in Wentorf may get suspicious already, because of the too long time my processing with the American authorities takes, whereas other soldiers are mostly gone already. Therefore I would not like to ask for leave before my case will be cleared, when this may be done quickly. When this is impossible, and when you think this to be in interest of the work, then I am ready to ask for leave immediately, giving as ground my tirednes, which is quite natural because I have worked last time very hard, being overgrowded with work. Then I could come to Munich at once.

Awaiting your prompt answer - yours very sincerely *St. Daves*