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26 March 1952

MEMORANDUM FOR: The Deputy Director (Plans)

VIA STC
 ADSO
 ADPC

FROM: Chief, SE

SUBJECT: Recommendations for DD/P on Rumanian Matters

1. In our recent conversation you requested answers to the following matters:

a. Should you accept the insistent invitation from Mr. Rica Georgescu for you and your wife to be present at his naturalization proceedings in New York.

b. Is going to invite King Michael to come to the United States for a visit and if so, is this invitation appropriate from the standpoint of 1) giving King Michael the impression we are running after him and 2) whether a second invitation to "urge" that he visit the United States lowers the dignity of this Government in its relationship with the King.

c. Is it not advisable to stop giving the impression if not actually "carrying the torch," to prevent Nicolae Malaxa from obtaining his United States citizenship.

2. Our recommendations on these matters are as follows:

a. Mr. Georgescu's request that you stand up in connection with naturalization is a little confusing. If he is referring to your testifying as a witness in connection with his naturalization proceedings this will only be before an Immigration and Naturalization officer, and will not be public thus there is no reason for you not to appear.

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If Mr. Georgescu is referring to the actual swearing in, it is the consensus of opinion that there is no reason for you not to appear if you desire since you will only be a spectator in a courtroom, and will not physically participate in the proceedings in any way.

b. Attachment A is the memorandum prepared by [] relative to his invitation to the King. It also reflects the coordination of the invitation. [] actually intends to discuss Rumanian matters with particular reference to the problems involved in the Rumanian Committee with King Michael. If he shows a cooperative attitude and thus indicates to [] that his visit might be useful in connection with Committee and other matters, an invitation will be issued; otherwise, it will not. It is the feeling of [] in the absence of [] and also of [] and [] that the invitation should be issued under conditions as outlined above. It was pointed out that the first invitation was not issued by a United States official and that the current invitation is not in the nature of urging him to come.

c. It is believed to be true that the Malaxa case has gotten far out of proportion in relation to its importance. Due to the volume of information concerning Malaxa (approximately 2,000 pages) in OSO, our personnel have been at a distinct disadvantage in preparing or discussing an appropriate summary of the information.

The case also is unique in that contrary to normal practice, the Immigration and Naturalization Service did not request a summary of the information available in OSO concerning Malaxa until after they had already rendered a favorable recommendation to a Congressional committee. The subsequent request, therefore, was made with a great deal of urgency.

An important factor in the case, both from consideration in OSO and its normal relationship with Immigration and Naturalization, is the fact that OSO seldom produces legally admissible evidence and this fact has clearly been established and clearly understood in the OSO-Immigration and Naturalization relationship. Normally, I & N desires a summary of the total derogatory information regarding an individual together with our evaluation of the information and the sources which furnished it, this to be used as a

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guide by them or as a basis for further investigation by their or other executive agencies.

The Malaxa case is a most complicated one in that it deals with war-time and post-war activities within a country which was a war-time enemy and subsequently a member of the Communist bloc. As a result, neither the Congressional committee nor I & N is able to properly evaluate the testimony and information submitted in the case - for example, their acceptance of the testimony that Malaxa received back his factory under the Radescu regime, when as a matter of act, on the date (testified to) when he received his factories, the Radescu government had already fallen and the country was being run by a Communist government.

Mr. Georgescu is familiar with the fact that this Agency is interested in information relative to Malaxa's activities due to the fact that he himself had previously submitted various information regarding Malaxa and he was interviewed in his capacity as a consultant in an effort to obtain more specific information.

The blind memorandum submitted to I & N in accordance with your instructions was not regarded by I & N as an answer to their official request for information concerning Malaxa and they specifically requested a summary of the derogatory information in our files. Unfortunately, this apparently was not brought to your attention. It happened when I was away from Washington and when I mentioned to you that I understood that a factual memorandum was being prepared, I did not know that you had not been advised of the above.

A summary of information of information available on Malaxa is near completion. This is being prepared for submission to I & N in accordance with their request. This will be carefully screened and will be submitted to you prior to forwarding to I & N.

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