

S E C R E T

FOR COORDINATION WITH DOJ/OSI

25 March 1981

XAN-00042

MEMORANDUM FOR:  Office of General Counsel

FROM:  IMS/FPLG

SUBJECT: Responses to Department of Justice Questions Concerning Edgars Laipenieks, Alleged Nazi War Criminal

REFERENCE: Letter from OSI to OGC dated 10 March 1981

1. Referenced letter contains a series of questions concerning information contained in Agency records on Edgars Laipenieks which have been posed by Mr. Bruce Einhorn of the Office of Special Investigations (OSI), Department of Justice (DOJ) after Mr. Einhorn had reviewed our files on two separate occasions. Mr. Einhorn's questions and Directorate of Operations (DO) responses are set forth in the following paragraphs.

2. Questions in Section I of DOJ letter:

A. What were the circumstances of the CIA's initial contact with Edgars Laipenieks

RESPONSE:

In May 1957 Headquarters became interested in Subject because overt sources (i.e. press reports) indicated that Subject, as coach of the Chilean Track and Field Team, would go with the team to Moscow for the Youth Sports Festival in July-August 1957. His name was traced with various stations,   responded that he had met Subject, casually.   reported about two weeks later that in a casual conversation with Laipenieks, he (Laipenieks) had stated that he was not going to Moscow.

B. By whom was he referred to the Agency?

RESPONSE:

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By no one. See paragraph 2A supra.

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S E C R E T

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C. Who contacted him for the Agency?

RESPONSE:

No special effort to contact him was made.    
  knew him casually.

D. Are there any records of the initial contact, and may representatives of OSI see them?

RESPONSE:

The only records concerning these contacts are contained in documents dated 20 and 27 May 1957, 7 and 27 June 1957 and a file summary dated 20 October 1976. Mr. Einhorn has seen and initialed all of these documents.

3. Questions in Section II of the DOJ letter:

A. Did the CIA know of Laipeniek's intention to visit the United States in 1957?

RESPONSE:

No. DO files indicate that Subject visited the U.S. after the 1956 Melbourne games. DO files do NOT show that he entered the U.S. in 1957.

B. Did the CIA in anyway assist or encourage Laipeniek to visit the United States at this time?

RESPONSE:

Not at this time nor at any other time.

C. Did the CIA have any contact or relationship with Laipeniek during his visit to the United States?

RESPONSE:

The DO had none.

D. If such contact was made, may representative of OSI see any records of it which the CIA presently possesses?

RESPONSE:

There was no DO contact, therefore no DO records exist.

4. Questions in Section II of the DOJ letter:

A. Did the CIA know of Laipeniek's intention to apply for an American immigrant visa in 1960?

RESPONSE:

DO files contain no information concerning Subject's application for a visa in 1960.

B. Did the CIA in anyway assist or encourage Laipeniek to enter the United States from Chile for permanent residence in March of 1960?

RESPONSE: No.

C. At the time of Laipeniek's admission to the United States, did the CIA reveal any information it then possessed on the Subject to U.S. diplomatic or immigration officials?

RESPONSE:

As noted in paragraph 4A supra, DO files contain NO information of Subject's application for a visa in 1960 or of his intention to do so. DO files do not contain any information indicating that any U.S. government agency made inquiries about Subject in 1960.

5. Section IV of the DOJ letter states "In an internal memorandum dated September 4, 1962, a CIA employee (name sanitized) reported that in a conversation with Edgars Laipeniek, the Subject admitted committing fraud in applying for the immigrant visa he received in March of 1960."

A. May OSI representatives speak with the above-mentioned CIA employee in the near future regarding the Subject's admissions?

RESPONSE:

This officer is dead.

B. May his identity be revealed to OSI?

RESPONSE:

See response to paragraph 5A supra.

6. Section V of the DOJ letter states, "As reported in the CIA memorandum of September 4, 1962, Edgars Laipenieks also admitted that in 1946 he was arrested on war crimes charges by French military authorities then in control of Innsbruck, Austria, where the Subject resided as a displaced person. Laipenieks claimed that he was interrogated by a Lieutenant Marten (first name unknown), who released him and then recruited him as a skiing instructor for French alpine troops.

In the same memorandum, it was reported that Laipenieks told of being detained a second time, in 1947, by French security police in France while enroute to Chile. Laipenieks claimed that, once again, he was released by French authorities."

A. Did the CIA check with French authorities to verify Laipenieks' accounts of his arrest and release?

RESPONSE: No.

B. Does the Agency presently possess any information, other than Laipenieks' assertions, which support or contradict his story?

RESPONSE:

DO records contain no information which would either confirm or refute his story.

(N.B. It should be noted that the 4 September 1962 memorandum in DO files does NOT state the Subject "admitted" that in 1946 he was arrested on "war crimes" charges by French military authorities. The document actually states that "When the French arrived (in the Tyrol) Subject was arrested by them because he had been accused of working for the Germans".)

7. Section VI of the DOJ letter states "The Subject's operations file contains a cable from Stuttgart, West Germany, to the Director of the CIA dated August 9, 1957. That cable quoted a May 21, 1946 report of the U.S. Army Counter-Intelligence Corps in Europe that Edgars Laipenieks was accused of committing atrocities in Riga Central Prison in Nazi-occupied Latvia."

A. What occasioned this cable from Stuttgart?

RESPONSE:

As noted in paragraph 2A supra, when Headquarters became interested in Subject, his name was traced with various Stations. Stuttgart was one of them. The 9 August 1957 cable was Stuttgart's reply to the Headquarters query.

B. What are the names and positions of the person(s) who sent it?

RESPONSE:

The DO has no record of who, in Stuttgart, sent the cable. Incoming cables do NOT reflect the identity of the individual(s) who sent them.

C. Does the CIA presently possess any information corroborating the charges made by Army Counter-Intelligence and repeated in the cable from Stuttgart?

RESPONSE:

DO files do not reflect any corroborating information.

D. If so, may representatives of OSI review the information?

RESPONSE:

Since DO files do not contain any corroborating information, it cannot be produced.

8. The questions posed in Section VII of the DOJ letter should be referred to the Office of Security.

9. Section VIII of the DOJ letter states "In a memorandum dated September 1962, from Laipeniks Operations file, an unnamed CIA employee adjudged the Subject to have been in the wartime service of the Gestapo (security police) rather than the Abwehr (Military intelligence)." The only document in the DO files which appears to fit the above description is a memo dated 9 September 1962 which contains the following entry: "Did Subject work for the Gestapo or the Abwehr? It appears he was commended by the Gestapo and not the Abwehr. P.S. He indicated that he was affiliated with the Abwehr and when turned over to the Gestapo, he resigned". If this is the document to which Mr. Einhorn refers, the following responses apply:

A. What was the basis for the above-mentioned CIA employee's determination?

RESPONSE:

The DO does not believe the officer "adjudged" anything or made a "determination". Rather, he posed a question which he was obviously unable to resolve.

B. What is the employee's name?

RESPONSE:

The author of the document described above is  who is retired.

C. May representatives of OSI speak with him in the near future?

RESPONSE:

The DO has no objection to OSI speaking with  however,  resides in Massachusetts. Is the OSI prepared to pay his expenses to come to Headquarters for an interview?

10. Section IX of the DOJ letter states "It was reported in Laipeniek's operations file that he claimed to have received a document from the German Gestapo, commending him for his police activity in Riga during the Nazi occupation."

A. Does the CIA have the above-mentioned document:

RESPONSE:

The document is not in DO files.

B. May OSI receive a copy of it?

RESPONSE:

DO Files do not contain this document.

C. If the document is unavailable, can the CIA nevertheless attest to the accuracy of Laipeniek's assertion that he received such a commendation?

RESPONSE:

DO files contain no information which would either support or contradict Mr. Laipeniek's assertion.

11. The questions posed in Section X of the DOJ letter should be addressed to the Office of Security.

12. Section XI of the DOJ letter states "According to the Subject's operations file, Laipeniek told the CIA that he had unsuccessfully applied for admission to the United States from Europe in 1947 as a displaced person."

A. Does the CIA presently possess any information supporting or contradicting Laipeniaks' above-mentioned claim?

RESPONSE:

DO files do not contain any information which would support or contradict this claim.

B. If so, may OSI receive any documents regarding this claim?

RESPONSE:

OSI has already seen and initialed all relevant documents concerning Mr. Laipeniaks.

13. Question in Section XII of the DOJ letter:

At any time subsequent to the Subject's admission to the United States in March of 1960, did the CIA reveal any information it learned about Laipeniaks to any other U.S. government agency, such as the Immigration and Naturalization Service and Department of Justice and the Department of State?

RESPONSE:

There is a notation in DO files that in September 1973 I&NS had sent a "special" trace request on Subject. The reason given for the request was "for deportation". A "no derogatory" reply was sent to I&NS. (N.B. DO files do NOT contain copies of either the I&NS request or the DO reply).

14. Section XIII of the DOJ letter asks:

A. Does the CIA have any national security objections to the filing of deportation proceedings against Edgars Laipeniaks?

RESPONSE:

The DO has no objections.

B. If so, would you reveal the nature of these objections?

RESPONSE:

The DO has no objection.

S E C R E T

15. Since the answer to most of Mr. Einhorn's questions are all contained in the documents he has already seen, it is suggested that he might find it more helpful to review the DO file on Laipenieks again.

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