



Department of Justice

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FORMER NAZI CONCENTRATION CAMP GUARD ORDERED DEPORTED

WASHINGTON, DC – The Department of Justice announced today that an order of removal has been issued by the U.S. Immigration Court in New York City against Michael Gruber, a retired auto mechanic, who served the Nazis as an armed SS guard at the Sachsenhausen Concentration Camp in Oranienburg, Germany during World War II. The case was prosecuted by the Department's Office of Special Investigations (OSI) with the assistance of the New York District Office of the U.S. Immigration and Naturalization Service (INS) and was tried in Manhattan in May and June.

Gruber, 84, who currently resides in New City, Rockland County, New York, had admitted serving as an armed Waffen SS guard in Oranienburg, but denied any knowledge of the Sachsenhausen Concentration Camp there.

Citing captured Nazi documents found by OSI during its investigation of Gruber, Immigration Judge Robert Weisel ruled today that Gruber had in fact served in the SS Death's Head Guard Battalion at Sachsenhausen, that such service constituted assistance in the persecution of civilians on the basis of their race, religion, and nation origin, that Gruber had therefore been ineligible to immigrate to the United States, and that his removal is therefore required. Judge Weisel found that Sachsenhausen "was a place of death and extreme human suffering."

"This powerful and eloquent decision is an important victory in the quest for justice on behalf of the Third Reich's millions of victims," said Eli M. Rosenbaum, Director of the Justice

Department's Office of Special Investigations. "Gruber and the other SS Death's Head guards at the Sachsenhausen Concentration Camp were essential components in the Nazi machinery of degradation, brutality and murder."

Judge Weisel found that Gruber was born in 1915 in Krndija, Croatia, and became a member of the Waffen SS in September 1942. He noted that captured Nazi wartime documents prove that Gruber served at Sachsenhausen Concentration Camp from January 1943 to September 1944. Gruber had provided OSI with the names of several men from his hometown with whom he served during the war, and the court noted that captured Nazi wartime documents cited at the trial showed that they too served at Sachsenhausen Concentration Camp from January 1943 to September 1944.

Sachsenhausen Concentration Camp was established in 1936 about 20 miles northwest of Berlin at the town of Oranienburg. It was one of the earliest permanent Nazi concentration camps. These camps were used to isolate and destroy Jews, Gypsies, and other Nazi-designated enemies, first in Germany and later in occupied areas.

In his 55 page decision, Judge Weisel ruled that atrocities were committed against thousands of civilians at the Sachsenhausen camp during the period of Gruber's SS service there. He further ruled that during the period of Gruber's service in it, the SS Death's Head Guard Battalion at Sachsenhausen ordered, incited, assisted, or otherwise participated in the persecution of unarmed civilians because of their race, religion, national origin, or political opinion. Judge Weisel found that this persecution included forcible confinement, subjection to slave labor, physical and emotional abuse, torture, and murder of those prisoners. Judge Weisel held that those who sustained the Nazi state "shall be consigned until the end of human history as the ultimate in the personification of total evil."

Gruber, who immigrated to the United States in 1956, is a citizen of Austria. Gruber's removal from the United States to Austria was ordered by the Court under sections 237(a)(4)(D) and 212(a)(3)(E)(i) of the Immigration and Nationality Act of 1952. These sections are commonly referred to as the Holtzman Amendment of 1978, named after their primary Congressional sponsor, former New York Congresswoman Elizabeth Holtzman. The Holtzman Amendment provides for the removal from the United States of any alien who ordered, incited, assisted, or otherwise participated in the persecution of persons because of race, religion, national origin or political opinion between 1933 and 1945, under the direction of or in association with the Nazi government of Germany and its allies.

The case is part of OSI's ongoing efforts to identify U.S. citizens and residents who assisted in Axis-sponsored acts of persecution. To date, 64 Nazi persecutors have been stripped of U.S. citizenship and 53 have been removed from the United States since OSI began operations in 1979. Nearly 250 persons are currently under investigation by OSI and seventeen persons are the subject of ongoing prosecutions around the country.

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