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Deportation Order Upheld Against Wisconsin Man Who Participated in 1943 Nazi Massacre of 8,000 Jews

WASHINGTON – The Board of Immigration Appeals (BIA) affirmed an order directing the removal of Josias Kumpf, 83, due to his participation in Nazi-sponsored crimes of persecution during World War II, Acting Assistant Attorney General Matthew Friedrich of the Criminal Division announced today.

Kumpf, of Racine, Wis., served as an armed SS guard at the Sachsenhausen Concentration Camp in Germany and was later transferred to an SS-run labor camp in Poland, where he took part in a mass execution of prisoners.

The BIA adopted and affirmed the January 2007 decision of Chicago-based immigration judge Jennie L. Giambastiani, who ordered Kumpf's removal to Germany, or, in the alternative, to Austria or Serbia. The original order was based on Kumpf's admitted wartime service as an armed SS Death's Head guard at the Sachsenhausen Camp; at slave labor sites in Nazi-occupied France where prisoners built launching platforms for Germany's V-1 and V-2 missile attacks on England; and at the SS forced labor camp for Jews in Trawniki, Poland.

"Josias Kumpf participated in a 1943 Nazi operation that resulted in the murder of thousands of innocent victims. His culpability in this atrocity does not diminish with the passage of time," said Acting Assistant Attorney General Matthew Friedrich. "The BIA's ruling bolsters the Department's continuing efforts to ensure that those who took part in the crimes of the Nazi Holocaust are not allowed to enjoy the privileges and freedom the United States offers its citizens."

Kumpf, who was born in Serbia, joined the SS Death's Head guard forces at the Sachsenhausen Camp in October 1942 and served there for one year before transferring to the Trawniki Labor Camp in German-occupied Poland. During the investigation of his activities, Kumpf admitted that he participated in a November 1943 Nazi operation that bore the code-name "Aktion Erntefest" ("Operation Harvest Festival"), in which approximately 42,000 Jewish men, women and children were murdered at three camps in eastern Poland in only two days. Kumpf stood guard as approximately 8,000 Jewish prisoners – including approximately 400 children – were shot and killed in pits at Trawniki. According to Kumpf, his assignment was to watch for victims who were still "halfway alive" or "convulsing." If any of the prisoners attempted to escape, he stated, his job was to "shoot them to kill."

Kumpf immigrated to the United States from Austria in 1956 and became a U.S. citizen in 1964. In 2003, the Criminal Division's Office of Special Investigations (OSI) and the U.S. Attorney's Office for the Eastern District of Wisconsin brought suit to denaturalize Kumpf. The U.S. District Court for the Eastern District of Wisconsin revoked his citizenship in May 2005. OSI investigated that case, and it litigated the resulting removal action with the assistance of U.S. Immigration and Customs Enforcement (ICE).

OSI Director Eli M. Rosenbaum stated, "The BIA's decision to uphold the removal order ensures that Josias Kumpf, who participated in the perpetration of one of the most infamous crimes of the Holocaust, will

not be allowed to continue enjoying the privilege of residence in the United States – a nation in which so many victims who somehow survived the horrors of Nazi inhumanity found refuge."

The removal case against Kumpf is a result of OSI's continuing efforts to identify, investigate and take legal action against participants in Nazi crimes of persecution who reside in the United States. Since OSI began operations in 1979, it has won cases against 107 individuals who participated in Nazi crimes of persecution. In addition, attempts by more than 180 individuals implicated in wartime Axis crimes to enter the United States have been prevented as a result of OSI's "Watch List" program, which is enforced in cooperation with the Department of Homeland Security.

The appeal before the BIA was litigated by Trial Attorney Edgar Chen.

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