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9581

17 January 1950

TO: ADSO

FROM: Chief, STD *Wah*

SUBJECT: Nicolae MALAXA

1. You will recall the numerous previous reports made to OSO by Mr. Oscar COLCAIRE, who is presently associated with MALAXA in the latter's efforts to build a seamless tube manufacturing plant. On reference from your office, [redacted], who is familiar with the MALAXA case, and I interviewed Mr. Colcaire on 11 January 1950 from 1135 to 1220 hours. Mr. Colcaire reiterated his protestations as to MALAXA's innocence of any collaboration either with the Germans or with Communist elements and his contention that the charges against MALAXA result from the personal venom of numerous Rumanians who dislike him. Mr. Colcaire again requested that some type of clearance of MALAXA be furnished by OSO.

2. It was explained to Mr. Colcaire that this Agency is conducting no investigation of MALAXA, that our only action in this matter was to fulfill our statutory responsibility of furnishing the FBI with information available to us which is within their jurisdiction. It was further explained that any question of security risk involved in MALAXA's case was solely for the determination of the Department of Justice and the Federal Bureau of Investigation, and that there was no legal way in which we could furnish MALAXA with any clearance whatever.

3. Mr. Colcaire complained somewhat bitterly over the fact that information made available to the FBI by CIA was publicized as a result of the introduction into the evidence in the Judith COPLON trial of an FBI report concerning MALAXA. It was pointed out that we, of course, had no control over the introduction of this report or the subsequent publication of the information. Mr. Colcaire was assured that all of the information which he had made available concerning MALAXA had been made a part of our files and that we appreciated his consideration in making it available to us. He stated that copies of this information had already been made available to the Department of Justice.

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4. It is of some interest to note that during this lengthy conference Mr. Colcaire made no reference to his previous allegations that the Department of Justice had stated that the only derogatory information concerning MALAXA had come from CIA, and that he, Colcaire, suspected that the furnishing by CIA of this information might have some connection with the fact that William DONOVAN is the attorney for Max AUSCHNITT, a bitter enemy of MALAXA and the individual Colcaire accuses of being responsible for "smearing" him.

5. Mr. Colcaire appeared to be satisfied with the position taken by OSO and indicated that he agreed that MALAXA's only recourse was with the Department of Justice, implying that he might attempt to contact the Department of Justice concerning this case.

Action: Attached for your approval and the approval of the DCI is a memorandum to Mr. Peyton FORD, Assistant to the Attorney General, with an information copy to the Federal Bureau of Investigation.

Attachment:
Memo to Mr. Peyton Ford
for DCI's signature.

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