

# CONFIDENTIAL

OGC 80-00478  
18 January 1980

MEMORANDUM FOR: Director of Security

FROM: E J  
Office of General Counsel

SUBJECT: Document Request from Department of Justice (U)

1. The attached letter of request for Agency documents from the Office of Special Investigations, DOJ, was recently clarified by the Department of Justice. We are now informed by the Office of Special Investigations that the requested documents are critical, if not necessary, to the successful prosecution of a pending denaturalization suit against Tscherim Soobzokov. The request for documents "available for our use" then, is actually a request for documents to be used as evidence in the Government's case in chief. Inasmuch as Justice has already filed the complaint in this suit, and expect discovery to begin at any time, they are now pressing for an early answer to this request. The request for documents includes both DDO and OS material (items 3 and 6 are OS reports of a polygraph interview). (C)

2. Assuming, for the sake of argument, that the DDO will agree to a limited disclosure of its relationship with Soobzokov, a question still remains as to whether your Office would object to the use of your documents at trial. For the document to be used, it can only be introduced after laying a sufficient foundation, a step that must identify the source of the document as CIA, and will most likely identify the author of the document. However, it may be possible to limit further disclosure to one of the following scenarios:

- a. The document is introduced as a record of a conversation made during the normal course of business by an Agency officer.

DECLASSIFIED AND RELEASED BY  
CENTRAL INTELLIGENCE AGENCY  
SOURCE METHOD EXEMPTION 3020  
VAZI WAR CRIMES DISCLOSURE ACT  
DATE 2007

DERIVATIVE CL BY E J  
 DECL  REVW ON 18 Jan 2000  
DERIVED FROM A9c2.24

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- b. The document is introduced as a record of an interview made by a Security Officer of the Agency. The authenticity of the document would be proved by the custodian of the records of the Office of Security.
- c. The document is introduced as a record of an official interview made by a Security Officer of the Agency. The authenticity of the document proved by the author.
- d. The document introduced as the record of the observations of a polygraph examiner made in the course of a polygraph investigation, authenticated either by the custodian of records or the author.

The admissibility, and hence the potential usefulness of the requested documents is enhanced as more detail surrounding the origin of the document is introduced. Accordingly, our ability to provide such information for use at trial will probably make or break the Government's case on the Court's relying on this material. (C)

3. This is not to suggest that we should forsake our valid interests for the sake of this prosecution. I ask that you consider the possibility of releasing these documents for use at trial, under a scenario similar to the ones discussed above, and inform the Office of your position. I am available to discuss this matter with you or members of your staff at any time. I have already discussed this matter in some detail with [ ] OS/SAG. (C)

Attachment

cc: OS/SAG [ ] 1 w/att

OGC/O&MLD/JPK:pd/5648

#### Distribution:

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(Soobzokov)
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UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

December 6, 1979

OGC 79-10975  
6 Dec 79  
SECRET

Address Reply to the  
Division Indicated  
and Refer to Initials and Number  
MMendelsohn:dls  
146-2-47

[ ]  
Associate General Counsel  
Central Intelligence Agency  
Washington, DC 20505

Dear [ ]

With regard to an action filed in the U.S. District Court in New Jersey to revoke the citizenship of Tscherim Soobzokov we would like to know if the following documents can be made available for our use:

1. The document dated December 30, 1942 which refers to Soobzokov as Chief of the Field Police and authorizes him to search all villages in the area. (This document is in German and has an English translation.)
2. The document dated November 14, 1944 which refers to Soobzokov as a Military Commander. (This document is in Hungarian and has an English translation.)
3. The polygraph report of March 9, 1953.
4. The interrogation report of February 23, 1956.
5. Soobzokov's biography dated October 1959.
6. The polygraph report of December 14, 1959.

Thank you for your continued cooperation in this matter.

Sincerely,

Martin Mendelsohn  
Deputy Director  
Office of Special Investigations  
Criminal Division  
P. O. Box 28603  
Washington, DC 20005