

S E C R E T

OGC 80-01138

2-8-80

7 February 1980

MEMORANDUM FOR: []
Office of General Counsel

FROM: []
Chief, IMS/FOIA, Privacy and
Litigation Group

SUBJECT: Prosecution of Tscherim Soobzokov - DOJ
Request for Assistance

1. Attached is an analysis of the documents requested by the Department of Justice prepared by [] of this office. It is for your background information and return to this office without reproduction when it has served its purpose. It may not be shown to anyone outside this Agency without the prior permission of the undersigned.

2. It is with considerable regret that we must advise that we cannot support the Justice prosecution of Mr. Soobzokov, notwithstanding the fact that after repeated, unsuccessful polygraphs, this Directorate terminated contact with him.

3. The basis for our reluctance and great concern is the fact that should the documents requested be declassified and made available for trial, we would put an almost certain jeopardy on the cover of two CIA staff officers, their subsequent successful and highly sensitive operations and the location of CIA installations in the Middle East and in the United States.

4. We would be pleased to participate in any further discussions on this case with cleared representatives of the Department of Justice.

[]

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCES METHODSEXEMPTION 3020
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

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RVW ON 7FEB00
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S E C R E T

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MEMORANDUM FOR THE RECORD

SUBJECT: Prosecution of Tscherim Soobzokov Background on the Documents Requested by the Department of Justice

REFERENCE: Letter from Department of Justice, undated, requesting six documents for use at trial

1. In the referenced letter, the Department of Justice requested permission from the Agency to use six documents from CIA files in the Justice prosecution of Tscherim Soobzokov. Two of the documents are polygraph reports and have been referred to the Office of Security for action. The remaining four documents are the responsibility of the Directorate of Operations. The undersigned has reviewed Soobzokov's file to determine how we acquired the four DO documents in question with the following results:

A. Document #1 - Document dated 30 December 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. This document was given to CIA staff officer, [redacted] by Soobzokov himself. [redacted] from at least 1950 through 1955. During that entire period, [redacted]

[redacted]. In December 1950, [redacted] (in true name) met Soobzokov at the home of a mutual friend. [redacted] used Soobzokov as an unwitting source until about mid-1952 when Soobzokov lost his job. At about this time, [redacted] volunteered to try to help Soobzokov find employment with either the U.S. Army or Air Force in West Germany through a "friend" in Germany. Circa 8 October 1952, Soobzokov gave [redacted] the document described above (as well as other documents) which [redacted] copied. [redacted] returned the originals to Soobzokov. [redacted] told Soobzokov that his "friend" in Germany had passed Soobzokov's papers on to "others" who

DERIVATIVE CL BY [redacted]
 DECL REVW ON 7Feb00
DERIVED FROM [redacted] D9c.1

S E C R E T

S E C R E T

might be interested in employing him. In fact, [] sent the copies of Soobzokov's documents to Headquarters in October 1952 where they have remained on file. [] recruited Soobzokov on 23 April 1953 as an informant on the large Circassian community in Jordan. Soobzokov was also asked to recommend candidates for SR Division's program to return selected individuals to the USSR. Soobzokov recommended only one candidate for this program and he was never hired. While [] in about 1954/55, Soobzokov was handled by staff officer

[] Soobzokov was terminated amicably in 1955 when he managed to acquire, on his own, an immigration visa to the United States. In June 1955, [] informed Headquarters that if Soobzokov were recontacted, it should be borne in mind that he was never told that he was in contact with CIA and was never told that [] was in contact with anyone other than the "friend" in Germany. Soobzokov DID continue to correspond with [] and [] possibly [] after his departure from Jordan.

B. Document #2 - The document dated 14 November 1944 which refers to Soobzokov as a Military Commander. This document is in Hungarian and has an English translation. This document was acquired by [] at the same time and under the same circumstances as Document #1.

C. Document #4 - The interrogation report of 23 February 1956. Soobzokov was recontacted in the U.S. by [] a staff officer of SR/7/Plans on 9 December 1955. [] identified himself to Soobzokov as [], an official of the Department of the Army. Soobzokov had been polygraphed in 1953, not entirely successfully. The interrogation described in Document #4 was an attempt to resolve questions about his background. This interrogation was carried out by [], an Operations Officer in SR/7. The file does NOT show what, if any, cover or alias was used by []. It seems likely that [] used some form of U.S. military cover because all of the correspondence with Soobzokov during this period and later was conducted from a U.S. military cover name and address. (N.B. [] who was born 5 April 1910 resigned overtly from the Agency on 25 October 1962 and withdrew his contributions to the Agency retirement fund at that time. His present whereabouts are unknown.)

D. Document #5 - Soobzokov's biography dated October 1958. Soobzokov was given training at Fort Meade 14 February - 22 August 1957. He was repolygraphed at Fort Meade, again with mixed results. On 23 September 1957

S E C R E T

Soobzokov was contacted by [] of NEA/7 (who had handled him briefly in [] see subparagraph 1A supra) in regard to a proposed mission to Amman. This mission was to run political operations into Syria from Amman using local Circassians. Although not stated in the file, [] must have contacted Soobzokov in true name (since Soobzokov already knew it). What [] told Soobzokov about his own employment is not stated; however, [] states in the PRQ that Soobzokov knew he was working for U.S. intelligence and probably assumed CIA. Soobzokov arrived in Jordan on 1 November 1957 to implement his operation. He immediately ran afoul of some of the more influential Circassians; told some of them that he was working for "the U.S. Secret Service" (which they didn't believe) and generally behaved so badly that he was sent back to the U.S. on 29 December 1957 and the operation cancelled. On 22 April 1958, Soobzokov was polygraphed again with questionable results. In July 1958, he was given additional training and contracted for two years as a hot war reservist. He lost his job in July 1958, sought our assistance and offered to clear up the discrepancies in his biography. In October 1958, he was debriefed in a safehouse, apparently by []

[] of SR/DOB and [], SR/DOB interrogation specialist. [] was known to Soobzokov as Lt. Col Edward C. Poni, of the U.S. Army Material Testing Unit. In fact, [] was a legitimate Military Officer detailed to the Agency from 1 October 1956 to 22 May 1960. The file does not show what, if any, alias or cover was used by [] It was at this debriefing that Soobzokov was asked to write his biography (Document #5). This document was also used as an aid in the last polygraph test given to Soobzokov in December 1959. This polygraph, like the others, was unsuccessful and contact with Soobzokov was dropped.

2. When Soobzokov was named as a Nazi war criminal by the New York Times in 1974, he asked his congressman to help him find his old friend, [], who had been with the [] in 1955. The Congressman contacted [] who then called Soobzokov. In a memorandum to the file dated 30 July 1975, [] states that he "has sustained" telephonic contact with Soobzokov and, as suggested by OGC, continued to sympathize with him but in no way encouraged him to expect that the Agency would give him any tangible support. [] told Soobzokov that he was being transferred away from Washington but that Soobzokov could write him at his mother's address.

S E C R E T

3. Of the Agency officers, Soobzokov knew or met, the two he knows best and would be likely to try to get to help him in any litigation are [] and []. Both these men were sympathetic to him, and it was under [] and [] that he actually performed some operational tasks. He knows that [] is a CIA officer and undoubtedly presumes that [] is also. Should Soobzokov try to enlist []'s and []'s support, difficult security problems would arise.

[]. Cover Staff has advised that [] plans to retire in the not too far distant future but that the Cover Staff wishes him to retire under cover because he has been [] for such a long time. [] retired 26 May 1976 under cover because of sensitive positions he had held.

4. It is believed unlikely that Soobzokov would try to enlist []'s aid, since [] handled him during the period when his bona fides were most stringently questioned.

5. While not directly concerned with the documents requested by the Department of Justice, it should be noted that while on his abortive mission to [] in November/December 1957, []

[]: Victor A. Vachuta and Associates, 576 5th Avenue, New York City and Soobzokov probably still has those documents since [] noted that Soobzokov had maintained a large file on himself.