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11 MAY 1984

OG/EIB  
ACTION

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STATE

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TOR: 080232Z MAY 84

RR RUEAIIB  
ZNY CCCCC ZOC STATE ZZH  
STU202B  
RR RUEHC  
DE RUFHMJ #1912/O1 12B1426  
ZNY CCCCC ZZH  
R 071424Z MAY 84  
FM AMCONSUL MUNICH  
TO RUEHC/SECSTATE WASHDC 1073  
RUFHFT/AMCONSUL FRANKFURT 6006  
INFO RUFHJA/USMISSION USBERLIN 3160  
BT

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LIMITED OFFICIAL USE MUNICH 01912

VISAS DONKEY

E.O. 12356: N/A  
TAGS: CVIS; GE(KOSAK WOLODYMYR)  
SUBJ: POSSIBLE 212(A)(33) INELIGIBILITY  
REF: US BERLIN 01170

1. VISAS DONKEY
2. WOLODYMYR WOLFGANG JAROSLAW OTTO KOSAK NONE  
- 26 MAY 1917 PRZEMYSL/AUSTRIA  
- TRADE REPRESENTATIVE RETIRED
3. MR. WOLODYMYR KOSAK RECENTLY APPLIED FOR A NON-IMMIGRANT VISA TO VISIT HIS MOTHER, BROTHER AND SISTER IN THE U.S. A ROUTINE CHECK SHOWED THAT HIS NAME APPEARED IN AVLOS AS "83". THE FOLLOWING OUTLINES MR. KOSAK'S OWN ACCOUNT OF HIS ACTIVITIES DURING THE PERIOD PRECEDING AND THROUGH THE END OF WORLD WAR II, WHICH HE RELATED TO CONOFF DURING A PERSONAL INTERVIEW.
4. MR. KOSAK WAS BORN IN GALICIA, AUSTRIA IN 1917, THE SON OF AN ARMY OFFICER. HIS FATHER WAS THE CHIEF OF A COUNTER-ESPIONAGE GROUP. KOSAK ATTENDED HIGH SCHOOL IN BRAILOV AND WAS DRAFTED INTO THE RUSSIAN MILITARY WHEN HE REACHED THE AGE OF NINETEEN. HIS SERVICE IN THE MILITARY WAS UNREMARKABLE UNTIL EARLY 1938.
5. ON FEBRUARY, 1938 KOSAK WAS IMPRISONED BY THE RUSSIAN POLITICAL POLICE ON CHARGES OF ESPIONAGE. THE APPLICANT STATED THAT THE CHARGES WERE UNFOUNDED AND THAT HE HAD BEEN SINGLED OUT BASED ON THE FACT THAT HE HAD BEEN BORN IN AUSTRIA. KOSAK SPENT 13 MONTHS IN PRISON IN BOHZAR BEFORE COMING TO TRIAL IN MARCH, 1939 WHEN HE WAS SENTENCED TO SEVEN YEARS OF HARD-LABOR IN SIBERIA. HE APPEALED THE CONVICTION AND IN AUGUST, 1939 THE CHARGES OF ESPIONAGE WERE DROPPED DUE TO LACK OF SUFFICIENT EVIDENCE. KOSAK WAS CHARGED INSTEAD HOWEVER WITH PRODUCING ANTI-COMMUNIST PROPAGANDA AND WAS SENT TO MYCKAJLOKA WHERE HE HAD TO REGISTER HIS PRESENCE EVERY THREE MONTHS.
6. KOSAK FOUND HIS FIRST JOB IN MYCHAJLOKA IN MARCH, 1940 AS A BOOKKEEPER AT A DAIRY. HE WORKED THERE FOR ONLY FOUR TO FIVE MONTHS, TRANSFERRED TO THE BOOKKEEPING DEPARTMENT

1 Ref  
5/9  
NAI to CSCI-7296 dated 23 July 1956 Same Subject, which was previously sent to your Department. jjg 15May84

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SOURCES METHODS EXEMPTION 3B2B  
NAZI WAR CRIMES DISCLOSURE ACT  
DATE 2001 2008

COORDINATION WITH State

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OF THE LOCAL FOREST ADMINISTRATION FOR APPROXIMATELY ONE YEAR AND THEN TO A BOOKKEEPING JOB WITH THE LOCAL MINE WORKS.

7. IN JULY, 1942 THE GERMAN ARMY ARRIVED IN MYCHAJLOKA. KOSAK LEFT HIS JOB TO BEGIN WORK FOR THE GERMANS IN AN ADMINISTRATIVE POSITION. HE STATED DURING HIS INTERVIEW THAT HE WAS IN CHARGE OF GUARDING THE CITY'S ELECTRICAL WORKS, FOOD STORAGE DEPOTS AND OTHER IMPORTANT FACILITIES. KOSAK WORKED TOGETHER WITH A GERMAN LIEUTENANT. HE DENIES THAT HIS POSITION WAS THAT OF CHIEF OF MILITARY POLICE (REFTEL, PARA 3). HE SPECIFIED THAT IT WAS HIS SOLE RESPONSIBILITY TO ASSIGN GUARDS TO THE VARIOUS SITES SPECIFIED BY THE GERMANS.

8. MR. KOSAK RECEIVED PERMISSION IN DECEMBER, 1942 TO RETURN TO HIS FAMILY IN THE PROVINCE OF GALICIA (LEMBERG). WITH HIS UNCLE'S HELP HE SECURED A POSITION AS MANAGER OF SEVERAL DAIRIES. IT WAS DURING THIS PERIOD THAT MR. KOSAK FIRST BECAME AWARE OF THE PERSECUTION OF JEWS, GYPSIES, UKRAINIANS, ETC. HE STATED THAT HE DID NOT WITNESS THIS PERSECUTION NOR DID HE EVER TAKE PART IN SUCH PERSECUTION.

9. ON JULY 17, 1943 KOSAK WAS DRAFTED BY THE GERMANS INTO THE "SS FREIW.-DIVISION GALIZIEN" (HE HAD THE CHOICE TO BE DRAFTED OR GO TO GERMANY TO PERFORM LABOR). FROM JULY 17 UNTIL AUGUST 1 HE WAS A MEMBER OF THE "SS-PANZER GRENADIER AUSBILDUNGS- UND ERSATZ BATTALION 3", THE PERIOD DURING WHICH THE BDC REPORTS HE WAS A MEMBER OF THE "SS GRENADIER REPLACEMENT BATTALION TOTENKOPF III". HIS DIVISION "RECEIVED UNIFORMS" DURING THIS TWO-WEEK PERIOD IN BRNO.

10. DURING THE MONTH OF AUGUST, KOSAK'S TRAINING CONTINUED IN HEIDELAGER, CONFIRMED BY THE BDC REPORT. ON SEPTEMBER 1 HE BEGAN OFFICER TRAINING AT THE "SS-PANZER GRENADIER SCHULE PROSETSCHNITZ", WHICH WAS ALSO CONFIRMED BY THE BDC REPORT, AND WAS DETAILED TO THE "SS UNTERFUEHRERSCHULE RADOLFZELL" NEAR LAKE CONSTANZE ON NOVEMBER 17, 1943 (NON COMMISSIONED OFFICER SCHOOL). MR. KOSAK STATED THAT IN NOVEMBER HIS TITLE WAS "WAFFEN-UBERSTURMFUEHRER".

11. IN MARCH, 1944 THE APPLICANT WAS SENT TO NEUHAMMER NEAR BRESLAU WHERE HIS DIVISION WAS REPLENISHED. THIS DIVISION

LIMITED OFFICIAL USE SECTION O2 OF O2 MUNICH O1912

VISAS DONKEY

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SUBJ: POSSIBLE 212(A)(33) INELIGIBILITY

THE "SS-FREIW.-DIVISION GALIZIEN" BECAME THE "14. WAFFEN-GRENADIER-DIVISION DER SS"(GALIZISCHE NR. 1)" IN JULY, 1944 WHEN THE DIVISION WAS SENT TO THE FRONT NEAR LEMBERG. MR. KOSAK STATED THAT THE 4TH GRENADIER REGIMENT OF THE SS, NR. 29 (REFTEL, PARA 3) WAS PART OF THE DIVISION HE SERVED WITH. AT THE EAST FRONT DURING THE MONTH OF JULY, KOSAK WAS RESPONSIBLE FOR HEAVY FIGHTING EQUIPMENT.

12. IN AUGUST, 1944, KOSAK'S DIVISION WAS BROKEN UP AND HIS GROUP RETURNED TO GERMANY VIA HUNGARY. HIS DIVISION WAS ONCE AGAIN REPLENISHED IN SEPTEMBER IN NEUHAMMER AND BECAME THE "14. WAFFENGRENADIER-DIVISION DER SS (UKRAINISCHE NR. 1)". (AT THE END OF THE WAR THE DIVISION WAS CALLED "1. UKRAINISCHE DIVISION UNA - UKRAINISCHE NATIONAL ARMEE). THE TROOPS WERE SENT TO CZECHOSLOVAKIA AND ON TO YUGOSLAVIA IN JANUARY, 1945 WHERE KOSAK'S RESPONSIBILITY WAS TO GUARD THE TRAIN TRACKS AGAINST SABOTEURS. IN MARCH THE DIVISION

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WAS MOVED TO BAD GLEICHENBERG NEAR GRAZ (AUSTRIA) AND ON  
MAY 12, 1945 KOSAK BECAME AN AMERICAN POW. IN MAY, 1945  
KOSAK'S TITLE WAS "SS HAUPTSTURMFUEHRER".

13. DURING MR. KOSAK'S INTERVIEW WITH CONOFF, THE APPLICANT  
WAS CALM AND RESPONSIVE. HE ANSWERED EMPHATICALLY THAT HE  
DID NOT PARTICIPATE IN ANY ACTIVITIES WHICH WOULD RENDER  
HIM INELIGIBLE FOR A VISA UNDER SECTION 212 (A)(33) OF THE  
INA AND THAT HE WAS ONLY A SOLDIER DURING HIS TIME IN THE  
MILITARY. THE APPLICANT STATED THAT HE HAD NOT BEEN DENA-  
ZIFIED.

14. KOSAK'S ACCOUNT OF HIS ACTIVITIES APPEAR TO CORRESPOND  
WITH INFORMATION PROVIDED BY THE BERLIN DOCUMENT CENTER  
EXCEPT FOR THE PERIOD IN MYCHAJLOKA WHEN THE APPLICANT  
DENIES HE WAS CHIEF OF POLICE OF THE MITROVOMOWKA POST.  
INTERVIEWING CONOFF BELIEVES THIS DISCREPANCY SHOULD BE  
EXPLAINED PRIOR TO THE ISSUANCE OF AN NIV.

15. FOR FRANKFURT: MR. KOSAK STATED DURING HIS INTER-  
VIEW THAT HE "HAD BEEN THROUGH ALL OF THIS QUESTIONING  
BEFORE" WHEN HE APPLIED FOR AN IV IN 1954 OR 1955. THE  
APPLICANT ALLEGEDLY RECEIVED AN IMMIGRANT VISA AT THAT TI-  
ME BUT DID NOT EMIGRATE WITH THE REST OF HIS FAMILY SINCE  
HE BECAME ILL. MUNICH WOULD APPRECIATE ANY INFORMATION  
FRANKFURT MAY HAVE ON RECORD WHICH WOULD BE RELEVANT TO  
THIS CASE.

16. MR. KOSAK WISHES TO DEPART AS SOON AS POSSIBLE TO VISIT  
HIS MOTHER AND SIBLINGS IN THE U.S. CONOFF IS CONVINCED  
APPLICANT IS A BONA FIDE NON-IMMIGRANT AND BELIEVES MR.  
KOSAK IS ELIGIBLE TO RECEIVE A VISA EXCEPT FOR A POSSIBLE  
212 (A)(33) DENIAL. POST WOULD APPRECIATE DEPT'S EXPEDI-  
TIOUS REVIEW OF CASE. NELSON  
END OF MESSAGE

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