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12 February 1986

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MEMORANDUM FOR THE RECORD

SUBJECT: Mykola Lebed

1. On 5 February and on 6 February, I had several conversations with officers of CIA components and with officials of the Office of Special Investigations (OSI), Department of Justice, regarding reports published in the Village Voice (Vol. 31, No. 6, 11 February 1986) and in the New York Times (6 February 1986) on Mykola Lebed.

2. On 5 February 1986, I was informed by Michael Wolfe, DD/OSI, that an article on Mr. Lebed had appeared in the Village Voice. Mr. Wolfe indicated to me that this article "concerned" him; however, he was not then sure what effect the article would have on the OSI investigation of Mr. Lebed, which was "continuing." I subsequently spoke with [redacted], Deputy Chief, PPS/SEO, and [redacted], PPS/SIB, regarding their concerns over the Lebed story. At the time I spoke with them, they indicated that (1) the articles had not compromised the cover status of Prolog, a CIA proprietary with which Mr. Lebed was connected; and (2) they were not entirely clear on the status of OSI's investigation of Mr. Lebed. [redacted] inquired as to whether OSI would consider releasing a public statement indicating that none of the allegations of Nazi collaboration made against Mr. Lebed had been substantiated or whether Mr. Lebed could make any formal exculpatory statements to OSI for OSI's investigation record. Both [redacted] and [redacted] were concerned for Mr. Lebed's physical safety. [redacted] also inquired as to whether the Village Voice article would expedite the OSI investigation of Mr. Lebed.

3. Upon becoming aware of these concerns, I contacted Neal Sher, Director, OSI, and Michael Wolfe to determine the status of Mr. Lebed's investigation. Messrs. Sher and Wolfe indicated that their investigation would continue and that it might intensify somewhat as a result of some of the allegations made in the press

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but that there was no fixed time frame for completing the investigation. Mr. Sher indicated that it might be possible for OSI to provide CIA for the benefit of Mr. Lebed a copy of any written determination that the case had been dropped but that this could occur only after that determination had been made and if other senior DOJ officials agreed. Mr. Sher also stated that Mr. Lebed could provide OSI with a formal statement for their investigation if he wished to do so.

4. On 6 February, I met with [redacted], Associate General Counsel, and [redacted], General Counsel Designate, in OGC to discuss this matter further. [redacted] subsequently called [redacted], PAO, to inquire as to any interest by her office in coordinating and releasing a public statement on the allegation that CIA had used Section 8 of the CIA Act to facilitate the entry of suspected Nazis, including Mr. Lebed. Prior written documents I received appeared to confirm that CIA did not avail itself of § 8 in this manner. [redacted] believed that a statement in response to such a charge was unnecessary and would further publicize those charges levied against Mr. Lebed, perhaps endangering him. I then contacted [redacted], DD/OCA, to apprise him of the published reports on Mr. Lebed and to forewarn him that statements made by Elizabeth Holtzman on the Lebed matter, to the effect that CIA previously had lied during a 1979 Congressional hearing, could lead to renewed Congressional inquiries. I proceeded to contact Messrs. [redacted] and [redacted] to provide them with these details and we agreed to remain in contact to discuss any further developments.

cc: [redacted]

[redacted]

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