

CONCLUSION OF MORNING  
BUSINESS

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). Morning business is closed.

EXTENSION OF NAZI WAR CRIMES  
AND JAPANESE IMPERIAL GOVERNMENT  
RECORDS INTERAGENCY WORKING GROUP

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 384, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 384) to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.

The PRESIDING OFFICER. Under the previous order, there will be 90 minutes of debate equally divided between the two leaders or their designees. Who seeks recognition?

The Senator from Ohio.

Mr. DEWINE. Mr. President, I ask unanimous consent to add the following members as original cosponsors of S. 384: Senators COLEMAN, COLLINS, and SANTORUM.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I rise this morning to urge support for S. 384, a bill that would extend a very important law; that is, the Nazi War Crimes Disclosure Act. This act launched a mission of discovery, and what we have learned from this bill has been extremely disturbing. It has been necessary that we learn what we have learned from this bill.

I will take a few moments to talk about the act's specific merits, but before I do that, there are some people I will thank. First, I thank the majority leader and his staff for allowing us time today on the Senate floor to debate this measure. I also thank Judiciary Chairman ARLEN SPECTER for agreeing some time ago to schedule a hearing about our bill. It was not necessary to hold the hearing, but it was important that he schedule it. It was his strong support for our efforts that allowed us to move so quickly on this issue. Senator SPECTER gave a strong push to all involved to resolve their differences and to move forward so we could be in the position that we are today. I thank him for his leadership and for his support.

In 1998, Congress first passed the Nazi War Crimes Disclosure Act, which our friend and colleague the late Senator Daniel Patrick Moynihan and I introduced, along with my friend Congresswoman CAROLYN MALONEY, who introduced it in the House.

The purpose of this law was to make public previously classified information about a terrible part of history, the history of Nazi persecution and also the relationship of the U.S. Government to the Nazi war criminals in the aftermath of World War II and during the Cold War.

The bill provided that we would disclose, within the constraints of national security, the information we had about these Nazi war criminals. Undeniably, the Nazi era was one of the darkest chapters in human existence and there is a natural tendency not to even want to think or talk about it. Congress passed the Nazi war crimes law because we understood that we owe it to all those who suffered and died in the death camps. We also owe it to their families to bring the whole truth to light.

The Nazi War Crimes Disclosure Act has been in effect since 1998, and it has resulted in a tremendous amount of information. These results have been produced primarily through the good efforts of a group called the Interagency Working Group, also known as the IWG, which was created by that law. By statute, the IWG includes the director of the Holocaust Museum, the historian of the Department of State, the Archivist of the United States, representatives from the CIA, FBI, Department of Justice, specifically the Office of Special Investigations, the Department of Defense, and three outside appointees, known as public members, who are Elizabeth Holtzman, Richard Ben-Veniste, and Thomas Baer.

The IWG also includes a number of professional historians and archivists, who, along with the public members and the other IWG members, took on the task of locating, identifying, and recommending documents for declassification, of course always provided as long as the declassification posed no threat to national security.

At this point I think it is important to offer thanks to all the members of the IWG for their years of hard work on this project. The staff, including the archivists and historians, has done remarkable work and has helped to produce a tremendous amount of research on this critical project. In particular, we owe a debt of gratitude to the public members of the IWG—Elizabeth Holtzman, Richard Ben-Veniste and Thomas Baer—who have worked without compensation and spent literally hundreds and hundreds of hours of their own time on this effort. We give them our thanks. They have contributed mightily to the knowledge of this terrible era in world history.

Once the IWG was created, it worked closely with the CIA, the FBI, the NSA, the Army, and a number of other agencies to examine and evaluate an enormous number of documents. In fact, since 1998, the Interagency Working Group has coordinated the single largest specifically focused declassification effort in American history. In its first year of operation alone, the IWG screened so many documents for possible declassification and uncovered so much work to do that Congress extended its life in 2001, under the leadership of Senator FEINSTEIN, and then again with my sponsorship in 2004.

At this point, over 100 million documents have been screened for possible

relevancy, and over 8 million documents have been declassified and used to create a book titled, U.S. Intelligence and the Nazis. This book, which I have right here, now provides us with 15 chapters of insight into the Holocaust and the post-World War II era—insight into what U.S. Government officials knew and when they knew it. It makes for absolutely fascinating reading. We can be assured that, as more documents are uncovered and as historians have the opportunity to study what has already been uncovered, there will be more articles published, more interpretation, more understanding of history.

When I came to the floor almost 7 years ago to introduce and help pass the Nazi War Crimes Disclosure Act, I brought with me several aerial U.S. intelligence photographs taken in 1944 of Auschwitz. In the photographs, which were discovered by photo analysts from the CIA in 1978, prisoners were being led into gas chambers. This confirmed that our government knew that these atrocities were occurring. What else did they know? At that time, we could not be sure.

Now, however, due in great part to this law, we are much closer to answering that question. The book has contributed to our understanding of history—much more so than we ever hoped. Let me tell just a couple of the many stories this research has uncovered.

Let me tell a couple of the many stories that this research has uncovered so far.

For example, the historians were able to examine a range of documents produced by Gonzalo Montt, the Chilean consul in Prague during the early 1940s. Montt was a Nazi sympathizer and, as such, appears to have had significant access to Nazi plans regarding “the Jewish problem” and how the regime was planning to address it—and that plan involved moving the Jews into ghettos, expropriating their assets, and eventually eradicating the Jewish population.

British intelligence got access to many of Montt's dispatches to his home government and provided them to the United States as early as March 1942. Under the law, the IWG recommended that these documents be declassified, and our government agreed. These documents show that certain officials in our government had some evidence of Nazi intentions toward the Jews at least 6 months earlier than had previously been known.

Further, as the authors, themselves, say, these documents show again that: for many Americans and Britons inside and outside of government, the central, overriding concern during 1939–1945 was the war, itself—not the barbaric policies that accompanied it.

Our job in Congress, at least in passing the law, was not to judge history. That is up to historians. That is up to the people who read it. That will be up to us, later on. As these documents come out, we can begin to judge it.