

106TH CONGRESS  
2D SESSION

# H. R. 5065

To amend the Nazi War Crimes Disclosure Act to extend the authority of the Nazi War Criminal Records Interagency Working Group for 2 years, to express the sense of Congress regarding the cooperation of foreign nations with such Group in carrying out its duties under such Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2000

Mrs. MALONEY of New York (for herself, Mr. HORN, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To amend the Nazi War Crimes Disclosure Act to extend the authority of the Nazi War Criminal Records Interagency Working Group for 2 years, to express the sense of Congress regarding the cooperation of foreign nations with such Group in carrying out its duties under such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nazi and Japanese  
5 War Crimes Disclosure Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In 1999, Congress adopted the Nazi War  
4 Crimes Disclosure Act (Public Law 105–246) re-  
5 quiring the executive branch to identify any still-  
6 classified records in its custody relating to Nazi war  
7 crimes, war criminals, persecution, and looted assets  
8 and to declassify and release these records to the  
9 American public. Under terms of that legislation, the  
10 President established the Nazi War Criminal  
11 Records Interagency Working Group to carry out  
12 the functions required in the legislation.

13 (2) In its first year, the Interagency Working  
14 Group screened more than 600,000,000 pages of  
15 material relating to Nazi war crimes and has declas-  
16 sified 1,500,000 pages and opened them to the pub-  
17 lic at the National Archives.

18 (3) While the Interagency Working Group has  
19 worked diligently to screen materials and declassify  
20 millions of pages of material, the limited resources  
21 in both staff and funding available to the Inter-  
22 agency Working Group threatens their ability to  
23 complete the functions required by the Nazi War  
24 Crimes Disclosure Act.

25 (4) Already, significant new information about  
26 the Holocaust has been revealed in the more than

1 400,000 Office of Strategic Services records released  
2 by the Interagency Working Group at the National  
3 Archives on June 26, 2000. However, further revela-  
4 tions depend on adequate staff support and funding  
5 for the Interagency Working Group.

6 (5) The remarkable progress that has been  
7 made by the Interagency Working Group has been  
8 achieved even though the Congress has not appro-  
9 priated funds for the support of the Interagency  
10 Working Group or for the activities carried out by  
11 the various agencies which hold the records. Without  
12 the resources to review the materials being released,  
13 it will be years before we truly understand the sig-  
14 nificance of what is contained in the declassified ma-  
15 terials.

16 (6) The Nazi War Crimes Disclosure Act  
17 charged the Interagency Working Group with re-  
18 viewing all records that pertain to World War II,  
19 under the direction of, or in association with the  
20 Nazi Government of Germany, any government occu-  
21 pied by the military of the Nazi Government, and  
22 any government that was an ally of the Nazi Gov-  
23 ernment, which includes the Japanese Government's  
24 records.

1           (7) After the end of World War II, the United  
2 States returned more than 18,000,000 pages of cap-  
3 tured Japanese records to the Japanese Government  
4 at their request.

5           (8) In order to complete the Congressional di-  
6 rectives of the Nazi War Crimes Disclosure Act, the  
7 Interagency Working Group should review the mate-  
8 rials that were returned to Japan. Therefore, the  
9 full cooperation of the Japanese Government to as-  
10 sist the Interagency Working Group in reviewing all  
11 of the World War II records is desired to insure that  
12 these historic records can be reviewed, released, or  
13 otherwise made available to the public in a timely  
14 and efficient manner.

15           (9) The Interagency Working Group has been  
16 working diligently to expedite their charge under the  
17 Nazi War Crimes Disclosure Act, but the original  
18 authorization for three years will not allow for the  
19 completion of the momentous tasks outlined in the  
20 legislation, specifically in terms of completing the re-  
21 view of the records pertaining to the Japanese gov-  
22 ernment.

1 **SEC. 3. EXTENSION AND MODIFICATION OF AUTHORITY OF**  
2 **NAZI WAR CRIMINAL RECORDS INTER-**  
3 **AGENCY WORKING GROUP.**

4 (a) **EXTENSION OF AUTHORITY.**—Section 2(b)(1) of  
5 the Nazi War Crimes Disclosure Act (Pub. Law 105–246;  
6 5 U.S.C. 552 note) is amended by striking “3 years” and  
7 inserting “5 years”.

8 (b) **RECORDS INCLUDED.**—Section 3(a)(2)(A) of  
9 such Act is amended by striking “beginning on March 23,  
10 1933, and ending on May 8, 1945” and inserting “begin-  
11 ning on January 1, 1931, and ending on December 31,  
12 1945”.

13 (c) **MODIFICATION OF NAME OF WORKING GROUP.**—  
14 Such Act is further amended by striking “Nazi War  
15 Criminal Records Interagency Working Group” in each  
16 place such term appears and inserting “Nazi and Japa-  
17 nese War Criminal Records Interagency Working Group”.

18 (d) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
19 2(d) of such Act is amended to read as follows:

20 “(d) **AUTHORIZATION OF APPROPRIATIONS.**—There  
21 are authorized to be appropriated for the Interagency  
22 Working Group to carry out this section, \$5,000,000 for  
23 each of fiscal years 2001 and 2002.”.

24 (e) **AMENDMENT TO TITLE.**—Section 1 of such Act  
25 is amended by striking “Nazi War Crimes Disclosure Act”

1 and inserting “Nazi and Japanese War Crimes of World  
2 War II Disclosure Act”.

3 **SEC. 4. SENSE OF CONGRESS REGARDING COOPERATION**  
4 **OF FOREIGN NATIONS.**

5 It is the sense of Congress that foreign nations, and  
6 in particular the nation of Japan, should make every effort  
7 possible to cooperate with the Nazi and Japanese War  
8 Criminal Records Interagency Working Group established  
9 by section 2 of the Nazi War Crimes Disclosure Act (Pub-  
10 lic Law 105–246; 5 U.S.C. 552 note) in carrying out the  
11 duties of the Group under such Act.

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