The Nazi War Criminal Records Interagency Working Group is pleased to inaugurate this newsletter as a means of informing the interested public about the unprecedented endeavor of locating all heretofore undisclosed records relating not only to the major infamies of the Nazi regime, but to the historical details that may help to provide a measure of justice to individual surviving victims and also help us understand this cataclysmic period in world history.

In November 1998, when I was called by the National Security Council and asked to Chair the Government’s effort to release remaining classified government records related to Nazi war crimes, I wondered whether there were indeed many classified documents left on that subject. I have since discovered what a naïve question that was. Even though I have researched extensively and written on the subject of Nazi art looting and postwar attempts at restitution, I was surprised that there remained a wealth of unexplored classified documentation, relating to all aspects of Nazi criminality. For instance, the Office of Strategic Services records that we opened in June, and that are described in this issue, contain a wide range of documentation, including previously undisclosed intelligence materials on the transport of looted art through Spain and new information from intercepted German messages about the Holocaust in Italy. After screening millions of pages of records, the 12 agencies involved expect to identify 5 to 8 million pages of records related to Nazi criminals, crimes, looting, and persecution, which we will declassify and open to the public in the near future. 1.5 million pages have been opened thus far.

Having gotten a good start in releasing materials related to Germany and the European Theater during World War II and the postwar period, we are preparing to take up the second part of our task. From the very first meeting of the IWG, the group assumed, because the language of the law calls for release of materials related to “any government which was an ally of Nazi Germany,” that part of its mission was to unearth classified materials related to Japanese war crimes. Although agencies have been concentrating on the European war, we are about to embark on the Pacific war, where so many crimes, from the rape of Nanking to the Bataan death march, are likely to be somehow further documented in American government records of intelligence, postwar interrogations, or captured records. The extent of this documentation remains to be seen after we complete additional surveys of agencies’ classified records. I hope to report again soon on our progress.

MICHAEL J. KURTZ

A BRIEF HISTORY OF THE IWG

ORIGINS OF THE IWG The passage of the Nazi War Crimes Disclosure Act in October 1998 set into motion the most intense, large-scale U.S. government effort yet to declassify records relating to a single subject. Preliminary surveys by twelve Federal agencies yielded a universe of more than 600 million pages of potentially relevant records, with more detailed surveys narrowing the universe to about 100 million pages. The expectation is that, in the end, more than 5 million pages will be identified as relevant and declassified under the law. These newly declassified records will be available to researchers to fill in the historical record, round out personal histories, answer longstanding questions about U.S. use of war criminals during the Cold War, and aid in tracing looted valuables. These answers may help to provide a measure of justice to some of the surviving victims of horrific World War II crimes.

President Clinton established the Nazi War Criminal Records Interagency Work Group (IWG) by Executive Order on January 11, 1999, and charged it with coordinating and expediting this immense undertaking among Federal agencies. He named the group’s members from the major agencies holding classified records and appointed
three members to represent the public. Soon after its formation, the group set out to accomplish the tasks outlined in the statute: to locate, inventory, recommend for declassification, and make available all classified records of Nazi war criminal records.

Members of the group share a common sense of urgency. Group member Eli Rosenbaum, Director of the Office of Special Investigations under the Department of Justice, said, “The time pressure is on us as a requirement of the statute that this be done expeditiously. But I think all of us on the Working Group feel a different pressure, which is caused by our realization that so many survivors of the Holocaust have already died. Our goal is to get this material out as soon as possible so that it can be read by as many survivors as possible.”

**NAZI HUNTING IN THE UNITED STATES** The United States Congress initiated a hunt for information about Nazi War criminals in the United States in 1978, and again in 1985, with investigations by the General Accounting Office into the post-war activities of Federal agencies. With the creation of the Office of Special Investigations (OSI) within the Department of Justice in 1979, the systematic hunt of Nazi war criminals in the United States began. To date the OSI has denaturalized 64 people, removed 53, and prevented the entry of 157 suspected Nazi persecutors into the United States.

The end of the Cold War was responsible for bringing to light additional information about the activities of Nazi war criminals with the new willingness of the United States and the Soviet Union to open once secret records. The newly declassified records became fodder for historians, writers, and television and film producers who delivered to mass audiences stories of escaped Nazis and the involvement of American foreign intelligence agencies, stirring latent public interest.

During this period of renewed interest in U.S. Intelligence use of former Nazis, Congresswoman Elizabeth Holtzman, author of the Holtzman Amendment of 1978 that closed a gap in immigration law that had allowed Nazi war criminals and collaborators to enter the United States, urged the CIA and other agencies to open their files and initiated the call for new legislation. Congresswoman Carolyn Maloney in 1996 began pushing for a law that would provide for the declassification of records relating to Nazi war criminality and Nazi looted assets. Senator Michael DeWine introduced a similar bill in the Senate, and the Nazi War Crimes Disclosure Act was passed in late 1998. In 1999, Senator DeWine and Congressman Stephen Horn chaired hearings on the implementation of the act.

**CHALLENGES OF THE RECORDS** The statute calls for the disclosure of records pertaining to perpetrators of racial, religious, or political persecution or to the theft of the assets of persecuted people. Yet the records subject to this act were not created for the purpose of research into Nazi war criminals and crimes. They were created by government organizations of the United States to carry out specific tasks, programs, and functions, and the files reflect, in their organization and content, their original purpose. More than a dozen agencies, representing a multiplicity of functions, produced and collected the records in a variety of filing systems over a period extending from 1933 to 1998.

With no one system that provides access to the relevant records, the search for war criminal records is a labor-intensive process. It requires extensive review of hundreds of thousands of files and millions of pages of documentation. Often, page-by-page review is the only possible comprehensive search strategy for many files.

Given the nature of the files and their classification history, the records that are opened as a result of the act are just as likely to be important to historians for their rich contextual details as for their direct evidence of wartime criminality. “In the overwhelming majority of these cases, we are dealing with records that were classified many, many years ago and for any number of reasons,” says Professor Gerhard Weinberg, Chair of the IWG’s Historical Advisory Panel. “The files are, therefore, likely to relate to an enormous range of issues… giving a bit of information here and an additional detail there,” he said, nonetheless predicting the release of some “very interesting records.”

**INSIDE THE IWG** Including its first meeting on January 12, 1999, the IWG has held 13 official meetings. It has hosted open forums in New York and Los Angeles to solicit information from scholars and the public at large with the generous support of the Simon Wiesenthal Center and the World Jewish Congress. The IWG has also met with selected agency heads to resolve agency-specific compliance issues. In order to benefit from non-governmental expertise and experience, the group appointed an historical advisory panel
and retained the services of two distinguished historians, Professor Richard Breitman of The American University and Professor Timothy Naftali of the University of Virginia. The IWG maintains a website at www.nara.gov/iwg to announce openings and declassifications, and provide reference materials, meeting minutes, and other information.

A staff of 5 individuals, employees of the National Archives and Records Administration (NARA), carries out the daily work of the IWG under the immediate direction of the Chair. The record-holding agencies, with no additional funding under the act, are devoting nearly 600 staff years and $35 million to the task.

To date, 1.5 million pages have been declassified, and over 1 million pages have already been opened for public use. Significant quantities of Office of Strategic Services (OSS), Department of State, and FBI records have been opened. The records released contain information about Nazi war criminals, the work of the Tripartite Gold Commission, Project Paperclip (foreign scientists), the Safehaven Project to identify, locate, and recover looted Nazi assets, postwar Allied negotiations with wartime neutral nations regarding the restitution of gold looted by the Nazis, and the Holocaust in Italy.

PHASE TWO: JAPANESE WAR CRIMINAL RECORDS The IWG will soon start the second phase of implementation of the act: the identification and declassification review of records related to Japanese war crimes. This mandate, implicit in the act, is directly required by amendments now pending in both houses of Congress. Early on in its deliberations and in consultation with Congress, the IWG established that the act, under section 3(a)(D), requires that records related to war crimes committed by Japan, as “any government which was an ally of the Nazi government of Germany,” be dealt with under the act in the same way as European Theater records.

This additional task will require a major effort, including the retaining of additional expertise and the screening of additional records. The IWG will take up this phase in earnest this fall.

NEWLY DECLASSIFIED OSS RECORDS SHED NEW LIGHT ON WORLD WAR II

It was standing room only at the IWG’s opening of CIA records at the National Archives at College Park on June 26, 2000. More than 50 journalists and researchers crowded into the room for the news briefing and for a look at some of the 400,000 pages of previously classified documents from the records of the Office of Strategic Services (OSS, 1942-45), the World War II forerunner of the CIA. The records revealed new and historically valuable material that would not have been declassified without the passage of the Nazi War Crimes Disclosure Act and the efforts of the National Archives and the Central Intelligence Agency under that act.

The documents come from a larger OSS collection, much of which was declassified by the CIA in the 1980s. The IWG release consists of documents previously withheld by the CIA because of the sensitive information they contained on sources and methods. They cover diverse topics and activities relating to intelligence operations during the War and, because they were withdrawn from other files, are not organized by topic or activity.

The staff of the National Archives prepared a rudimentary inventory of this eclectic collection. The documents contain general information about OSS activities worldwide and about Nazi Germany and its allies. Researchers who review the many thousands of pages will find information that is valuable to investigations in a broad range of subjects. Among the materials researchers will find:

• Prisoner of war interrogation reports
• Refugee and émigré debriefings, including interviews with civilian internees returning from the Far East
• Reports on OSS clandestine missions into France and Norway
• Reports on the U.S. Safehaven program to identify and block from flight German financial assets and other war spoils
• Records of the OSS insurance intelligence unit (IIU)
• Information related to looted art
• Information on Japanese balloon warfare over the U.S. Pacific Northwest
• 1,200 reports based on information supplied to Allen Dulles, the head of the OSS in Switzerland by the anti-Nazi German Foreign Office official Fritz Kolbe (continued on page 5)
During her four terms in Congress, Ms. Holtzman established a milestone in the process of the ratification deadline for the Equal Rights Amendment. She helped win an extension by the Court of Appeals, an unsuccessful appeal was made to the Supreme Court. In 1978, Holtzman helped win an extension of the ratification deadline for the Equal Rights Amendment.

Months later the story began to unfold when she sat down to review the agency’s files. She recalls her disbelief as she opened the folders, stacked neatly before her, each bearing the name of an alleged Nazi war criminal. “I remember opening the first file and reading the allegations,” she said. “I read that an INS official went out to the person’s home. The questions that were asked had to do only with the person’s health. I thought ‘Something’s wrong here.’” The second file contained the same type of inquiry and the same type of response, as did the third file and the others. It was clear to her that there was no serious investigation going on at all.

With that discovery, Holtzman began her tireless crusade to bring to justice remaining Nazi war criminals. She is responsible for such milestone measures as the Holtzman Amendment to the immigration law that allows for the deportation of war criminals and the creation of the Office of Special Investigation, or OSI, under the Department of Justice that investigates cases of suspected Nazi war criminals. In 1999, she was appointed by the President as one of the public members of the IWG.

Elizabeth Holtzman is not one to shy away from a challenge. She first gained fame in 1972 when, as a relative newcomer to national politics, she ran for the U.S. House of Representatives against the powerful fifty-year veteran Emanuel Celler—and won. At thirty-one, she became the youngest woman ever elected to Congress, a record she still holds.

In Congress, she turned her attention to the issues that marked her energetic campaign; women’s rights, bringing an end to the war in Southeast Asia, reducing the defense budget, and addressing domestic social problems. In her first term she took a seat with the Judiciary Committee and was in the national spotlight for her part during the Watergate Hearings and, again, during the Ford hearings when she confronted President Ford about his pardon of Nixon.

In 1973, Holtzman filed a lawsuit in U.S. district court leading to a landmark ruling that the American bombing in Cambodia was an unconstitutional action of the President. After a reversal by the Court of Appeals, an unsuccessful appeal was made to the Supreme Court. In 1978, Holtzman helped win an extension of the ratification deadline for the Equal Rights Amendment. During her four terms in Congress, Ms. Holtzman established a reputation as an effective legislator.

In 1981, Holtzman was elected District Attorney of Brooklyn and headed one of the largest prosecutor’s offices in America. She enacted several tough reform measures while at the post. When she discovered a system of racial bias in the jury selection process of the courts in New York, she mounted a multi-front attack. The outcome was a reversal by the U.S. Supreme Court that helped eliminate the discriminatory practice. To address allegations of police force brutality, she created a special bureau.

Holtzman was elected to the citywide office of Comptroller and served from 1990 to 1994. In that position she fought corruption and wasteful spending through fiscal measures, such as the award of city contracts.

Holtzman was born and grew up in Brooklyn, New York. The granddaughter of Jewish immigrants who fled Russia after the pogroms following World War I, she was always sensitized to discrimination against Jews. “My grandfather’s life was threatened in Russia and even though my family members were not in the Holocaust, the horrors of the Holocaust were brought home to me,” she said.

She was determined, therefore, after learning of the Nazis living in the U.S. and the government coverup, to use her position in Congress to do something. “The Immigration Department had no record of high level professionalism in dealing with these cases…. So I knew that the only way to conduct a serious, professional investigation of war criminals was by the Justice Department, in its very prestigious criminal division,” Holtzman said.

There was substantial opposition. Eli Rosenbaum, Director of the Office of Special Investigations and long-time admirer of Holtzman, recalled her struggle to create the office:

I don’t know why the Administration of that time was so hesitant, but I well remember the battle of the press releases. Liz was constantly demanding that serious, concerted law enforcement action be taken in the Nazi cases. Meanwhile, in the middle of this effort, Vioruț Trifa, a major Nazi perpetrator who had been a wartime leader in the fascist Romanian Iron Guard, was given air time on Radio Free Europe to broadcast a holiday message back to Romania. Liz went ballistic about that, as you might imagine, only to have a senior federal official defend the broadcast by declaring publicly that Trifa “represents an important constituency.” I sometimes imagine that the Administration finally set up a special unit [OSI] only when it was convinced that Liz was just a day or two away from setting herself afire in front of the White House. That was about the only thing she hadn’t done yet.

That same strong determination and conviction marks Elizabeth Holtzman’s dedication to the work of the IWG. The struggle to uncover the truth through declassification of the records carries for her a greater meaning. “The work is really important—not just in terms of bringing Nazi war criminals to justice—as important a task as that is—but because we see everywhere, from Bosnia to Rwanda to Cambodia to Northern Ireland, the ability of human beings to engage in actions of horrific torture and destruction toward other human beings. The more we can tell of the story of the Holocaust, perhaps the more people will take steps to prevent a repetition.”
A portion of the records includes messages of the SS Security Service (SD) sent from Rome to Berlin during August, September, and October, 1943, that were intercepted and decoded by British intelligence and shared with U.S. intelligence. The messages provide historical insight into what the Allied governments knew about the Holocaust, when they learned it, and what might have been done with the information they possessed. The decodes are also valuable in adding to what is known about Nazi intervention in Italy, providing detail about the early German decision to deport Italian Jews to Auschwitz.

The documents suggest that Karl Wolff was an essential participant in this process. Wolff was Himmler’s longtime chief of staff who participated in Operation Sunrise, the surrender of German forces in northern Italy arranged with Allen Dulles near the end of the war in Europe. He was never tried by the International Military Tribunal or an American court. He was brought to trial in West Germany only in the 1960s.

The documents also contain lengthy verbatim excerpts from “private” conversations among German POWs secretly recorded by the British and later given to American intelligence officials. In these conversations, German army, navy, and SS officers unwittingly gave British intelligence analysts commentaries on past and current actions by top Nazi officials. In some cases, these POWs also described their own attitudes toward Nazi mass killings and atrocities. Some captives continued to support the fatherland to the end, but others tried to distance themselves, focusing blame on Heinrich Himmler and the SS. These documents will provide researchers a better picture of the relationship between the German army and the SS, additional details about Nazi concentration and extermination camp operations, and an assessment of German morale toward the end of the war, among many other topics.

Within the OSS collection there are previously unreleased documents concerning the OSS penetration of the German Foreign Office using the anti-Nazi German informant Fritz Kolbe. Codenamed George Wood, Fritz maintained contact with Allen Dulles—then head of the OSS in Switzerland—and is widely considered by intelligence historians one of the best informants for the OSS. This opening contains the first complete set of Kolbe documents and it shows that the Kolbe reports were sent to President Roosevelt. These records and many additional OSS records scheduled to be released in coming months are expected to provide historians not only new information about the activities of Nazi war criminals, but also rich new details about World War II.

Found among the newly declassified records of the Office of Strategic Services, this document is a British translation of a coded German radio message. In the late summer of 1943 British intelligence broke the code used by the SS Security Service (SD) for radio messages between Rome and Berlin. In September, Germany occupied Italy to prevent the new Badoglio government from surrendering to the Allies. The British happened to intercept and decode this previously unknown order by Ernst Kaltenbrunner, head of the Reich Security Main Office, to initiate the roundup and deportation of Jews in Rome.
The 21-member Presidential Advisory Commission on Holocaust Assets in the United States, created by the U.S. Holocaust Assets Commission Act of 1998 (PL 105-186), has a three-fold mandate. Its charge is to (1) conduct original research into what happened to the assets of Holocaust victims – including gold; other financial assets such as bank accounts, stocks and bonds; and art and cultural objects – that passed into the possession or control of the Federal government; (2) survey existing research about other assets of Holocaust victims in the United States; and (3) report to the President its findings, making recommendations for legislative and administrative actions to achieve a measure of justice.

In 1999, Congress voted unanimously to make the Presidential Commission’s final report to the President due December 31, 2000. When signing this legislation, President Clinton noted that the Presidential Commission will have to examine more than 45 million pages of documents. In a nod to the work of the IWG, he highlighted the fact that “to our nation’s credit, the amount of information to be reviewed increases every week as remaining Nazi-era documents are declassified.”

More than 50 years after World War II, it was this country’s leadership in the pursuit of the truth that led to the renewed push for moral reparations for Holocaust victims and their families. Americans were first – leading the inquiries into Nazi-looted gold and dormant accounts in Swiss banks, insurance policies, slave and forced labor, and looted art. Given the leading role of the United States in the search for the truth about the Holocaust, the Presidential Commission will be viewed worldwide as much for how it does its work as for what it uncovers. For this reason, the Presidential Commission has explicitly made expansion and correction of the historical record its highest priority.

It was in this spirit that the Presidential Commission began to work collaboratively with the National Gallery of Art to help identify works in the Gallery’s collections that may have been looted by the Nazis. Implementing a suggestion of Commission researchers, the National Gallery found a way to improve the database on its Internet website to allow more comprehensive searches of the known provenance of individual works of art. Now, anyone anywhere in the world will be able to investigate the history of the objects in the National Gallery’s collection.

Following the example set by the curators of the Federal Government’s most prominent collection of fine art, museums in the United States have begun publicizing their own research into the Nazi-era history of items in their collections. In mid-April, three of the nation’s most prestigious museums, the New York’s Metropolitan Museum of Art, the Museum of Modern Art and Boston’s Museum of Fine Art, appeared before the Presidential Commission’s Committee on Art and Cultural Property at a hearing in New York City to announce their findings about Nazi-looted art in their collections. The evening before the New York hearing, the Art Institute of Chicago also released the results of its provenance research. All of these findings were placed on the museums’ websites so that anyone with access to the Internet can search them.

The New York Post noted that while the Association of Art Museum Directors formally agreed to have its members review their collections in 1998, “It wasn’t until (the) hearing of the Presidential Advisory Commission on Holocaust Assets that they suddenly posted their information.” The New York Times reviewed the same sequence of events and concluded that the Presidential Commission’s hearing “no doubt prompted the flurry of action.”

The goal of the collaborative work with the IWG is to encourage similar responses from non-Federal and foreign record holders. The Presidential Commission’s Chairman, Edgar M. Bronfman, and the government’s lead negotiator on Holocaust assets issues, Deputy Secretary of the Treasury (and Presidential Commission member) Stuart E. Eizenstat, both testified to the U.S. Senate Foreign Relations Committee in April. They reported that two of the most intractable problems in the struggle for justice for Holocaust victims and their families is lack of access to archives abroad and the unwillingness of some foreign governments to declassify records.

President Clinton has declared that the work of the Presidential Commission and the IWG “demonstrates irrefutably that we in the United States are willing to hold ourselves to the same high standards of truth about Holocaust assets to which we have held other nations.”
In May 2000, the Central Intelligence Agency declassified its first records at the National Archives and Records Administration (NARA) in accordance with the Nazi War Crimes Disclosure Act. These documents and others released through the act will provide a more complete record of intelligence operations of the United States and Allied forces during World War II. (See Breitman article.)

The efforts by the CIA and other United States agencies to declassify records responds to the growing worldwide interest in the role of governments, banks, insurance companies, and businesses during World War II. In the 1990s, many countries reevaluated their role during the war. For example, Argentina launched a major review of its official records to look for Nazis and collaborators who immigrated to South America. Other countries, including Croatia, France, Italy, and the United Kingdom, have held highly publicized trials of World War II criminals. Holocaust research has also moved into areas such as the theft by Nazi Germany and its allies of money and assets from victims and how the Axis Powers used these resources to pay for the war effort.

In March 1999, the Director of Central Intelligence, George J. Tenet, assigned the Special Collections Division of the CIA’s Office of Information Management (OIM) to manage the Agency’s program to identify all relevant records. OIM coordinates with various CIA Directorates by providing guidance concerning search, relevance, and review standards for records relating to Nazi war criminals.

OIM assembled a staff of researchers and declassification experts to task all CIA offices with identifying any relevant records in their possession. With the assistance of the History Staff, OIM prepared a search-and-retrieval guide for research on Nazi war criminals and collaborators that is being used by CIA staff and other agencies. The office issued a “watch list” to the staff of the Automatic (25-year) Declassification Program to help them locate relevant records. In addition to the agency’s official representation by the Director’s Special Counsel Kenneth Levit, members of OIM’s Special Collections Division participate in monthly and public meetings of the IWG.

Director of Central Intelligence Tenet met with the IWG last July to brief members on CIA’s efforts to comply with the act, which set a three-year declassification schedule. The DCI sent letters to CIA retiree organizations to ask for assistance from former intelligence officers who may have information about the agency’s involvement with Nazi war criminals. He also has written foreign intelligence services to advise them of the act’s requirements and to seek their assistance in declassifying liaison material from World War II that is still among the remaining classified records of the Office of Strategic Services (OSS).

Since early 1999, OIM has assigned eight officers to review classified material at the National Archives and Records Administration (NARA), and another three officers to do the same at CIA’s own classified records center. OIM recommended the declassification of several thousand pages of captured German records at the National Archives. In May 2000, OIM declassified its first tranche of records pursuant to the act, consisting of some 678 OSS documents in more than 6,000 pages that had been at the National Archives since 1997 but closed to research. The documents, specifically identified by CIA reviewers as relevant to the Act, consist primarily of prisoner of war interrogation reports, refugee and émigré debriefings, OSS missions into France and Norway, and reports on Project Safehaven, a wartime U.S. government operation to identify German efforts to conceal financial assets. Approximately 70 percent of the materials contain information provided by foreign government sources.

This OSS material is the first of what the CIA expects to be a large number of records to be declassified over the next few years. In addition to the work by the Special Collections Division, representatives from all directorates are involved in the search and review of relevant records, including material at the agency’s own archives. The CIA is conducting name traces on nearly 60,000 SS officers, convicted war criminals, and “notorious” Nazi leaders and other collaborators. These searches and others are expected to result in the review of several million pages of records.

The Nazi War Crimes Disclosure Act may prove to require an effort equal to such resource-intensive projects as the previous declassification of OSS records and those related to the investigation of President Kennedy’s assassination. The CIA is working closely with other Federal agencies (including the Presidential Holocaust Assets Commission) and the IWG to ensure that this long-awaited project is successful. New chapters in the history of World War II and the Cold War may yet be written using formerly classified records of the Central Intelligence Agency.

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Kevin C. Ruffner
CIA History Staff
DISCLOSURE is a free quarterly publication of the Nazi War Criminal Records Interagency Working Group (IWG).

Established by President Clinton in January 1999 in accordance with the Nazi War Crimes Disclosure Act (PL 105-246), the IWG is charged with locating, identifying, inventorying, recommending for declassification and making available all classified Nazi war criminal records. The group is made up of officials from seven federal agencies and three presidentially appointed public members.

Story suggestions and submissions should be sent to IWG Staff Director, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740.

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