

SUMMARY OF REV. DR. MARTIN LUTHER KING, JR. RECORDS COLLECTION ACT OF 2005

The primary purposes of this Act are:

- The expeditious disclosure of records relevant to the life and assassination of Rev. Dr. Martin Luther King, Jr.
- The preservation of all such records for historical purposes.
- Secure a presumption of disclosure to fully inform the public.
- Establish an independent and accountable process for public disclosure.

This Act is necessary because:

- Records might be lost or destroyed which are not subject to disclosure until 2028.
- The Freedom of Information Act (FOIA) has prevented timely disclosure.
- Executive Order #12356 on “National Security Information” recently eliminated declassification schedules and prevents timely disclosure.
- Previously released records are being evaluated for re-classification.
- Most related records are more than 35 years old, and only in rare cases are there legitimate reasons to protect them from disclosure.

There is a compelling public interest in prompt public disclosure of records for historical and government purposes, and to fully inform the American people about the history surrounding the life and assassination of Dr. King.

The Act will create a Martin Luther King Records Collection at the National Archives and Records Administration (NARA), and will require expeditious transfer of records to the collection.

The Act will disclose a broad range of related records on the life and assassination of Dr. King that have been created, obtained by or came into the possession of earlier investigations, including the:

- Rockefeller Commission
- Church Committee
- Pike Committee
- House Select Committee on Assassinations
- Library of Congress
- National Archives and Records Administration
- Presidential Libraries
- Executive and independent federal agency offices
- State and local law enforcement supporting any federal inquiries
- Deeds and gifts to NARA

The Act defines a related record as public or private, regardless of how labeled or identified that document, report on, analyze or interpret activities, persons or events reasonably related to the life and assassination of Dr. King. These records will include

any investigations or inquiries into his life or death by federal, state or local agencies. And any other record not described in the Act which has the potential to enhance, enrich, and broaden the historical record relating to Dr. King.

The Act will also release all types of records, including books, papers, maps, photographs, films, audio and video recordings, digital or computer files, physical evidence and artifacts to the National Archives MLK Collection, including:

- Records created by but no longer in the possession of government agencies, or in the possession of any individual by virtue of service with a government agency, or anyone who obtained a record from any government source or individual
- Intra-agency investigations, analysis or communications, requests by government investigations, and segregated documents or files created by the House Select Committee on Assassinations
- Documents used during declassification reviews of related records, and all other indexes that disclose cryptonyms, code names, symbols, numbers, aliases or identifiers that appear in the records
- Records in repositories and archives of a university, library, historical society or similar organization
- Records under seal by courts or grand juries
- Foreign government records
- Records of federal contractors
- Records of government controlled corporations.

NARA and the government agencies will create an identification aid for each record, which include:

- Books and paper records
- Maps
- Photographs and films
- Recordings
- Computerized files
- Physical evidence and artifacts

And the Archive will insure the provenance, physical integrity and original copies of the records. NARA will also prepare and publish a Subject Guidebook & Index and a central directory of records that will allow access by online searches.

All related records will be transferred for immediate release to the Archive or sent for review for redaction or postponement, but no record will be withheld indefinitely.