

Draft Floor Statement for Senator Specter

Mr. President, I ask unanimous consent for S. ##### which would extend the President John F. Kennedy Assassination Records Collection Act of 1992, as amended, for one additional year.

The Assassination Records Review Board, which was authorized in legislation passed in October 1992, but was not appointed until April 1994, will require an additional year to complete its work. As you know, I worked diligently to get the President John F. Kennedy Assassination Records Collection Act passed in 1992. I believed then, as I believe now, that it is important to assure the American people that its government is not keeping information secret that is relevant to the assassination of President Kennedy.

When Senator Boren and I first drafted this legislation, we received the full and significant support from Senator Glenn as well as from our colleague from the House of Representatives, Congressman Louis Stokes of Ohio. We estimated that the task would take three years. Although it was based on the best information then available, that estimate proved to be incorrect. It should not surprise us that additional time is needed to complete this important task since we were venturing into uncharted waters with this legislation. There was no way to know for sure what problems of scale and complexity the Review Board would encounter.

To be sure, the beginning of the enterprise was hampered by delay. The Board was not appointed until 18 months after the legislation was signed into law. Although we passed an Act in 1994 to extend the Board and effectively reset the clock, allotting three full years for the Board's activities, we did not address the impact of the significant delay in the appointment of the Board. Federal agencies were left to define for themselves the universe of records that should be processed under the Act and to speculate about the kind of evidence that would be needed to sustain the redaction of assassination-related information. Unfortunately, once the Review Board was in place, agencies needed to revise a considerable amount of work. In fact, many agencies have yet to complete their review.

Moreover, in our effort to create a truly independent agency, we imposed several statutory restrictions on the manner in which the Review Board could operate. Unlike other temporary agencies, the Review Board could not hire or detail experienced federal employees, but rather had to hire new employees who had to undergo background investigations and be cleared at the Top Secret level. In addition, the Review Board had to locate and renovate space that was suitable for the storage of classified material. All of these administrative tasks stole valuable time from the allotted three years. The effect of this necessarily protracted start-up was that the Board could not begin an effective review of records until the third quarter of its first year.

Finally, and importantly, the JFK Act property affords the agencies the opportunity to provide evidence to the Review Board in support of recommended postponements. The Review Board

believes that, in order to protect important national security secrets and safety concerns for informants and agents, the agencies need to have every reasonable opportunity to present evidence to the Review Board about the importance of redacted information. This process, which is an important component of the JFK Act, has been extremely time consuming for both the agencies and the Review Board. Although the Review Board could have acted much more swiftly by not affording the agencies the opportunity to collect and provide evidence, the Review Board would have thereby neglected its duties to make informed judgments.

Despite the slow start and unforeseen obstacles, the Review Board has accomplished much in the past two and a half years. Nearly ten thousand previously secret government documents are now more fully available to the American people. Significant collections of private records have been donated to the National Archives thanks to the efforts of the Review Board. Most important, the Review Board is within striking distance of completing the review of all identified assassination records. It would be a terrible shame to halt the effort before it has a chance to achieve success.

Senator Boren said on July 27, 1992 in support of the J.F.K. Act : “The public, and particularly our young people, need to have confidence in the integrity and fairness of their Government. So long as key Kennedy assassination materials remain locked away, there will be those who will believe the Government is disingenuous in respect to this heinous crime.”

I understand that there is broad support within the agencies for an extension, and I have no doubt that the public will be passionate and vocal in their advocacy for this action.

As my colleagues consider this issue, they should be aware that, as a result of the Review Board’s protracted start-up, a budget carryover of no-year funds from its first year would be sufficient to fund a full quarter of continued operation. The Review Board would consequently require only \$1.6 million of additional funds to continue operating for one year.

I fear that if we do not reach appropriate closure on this issue now, we will only have to revisit it in the future. A premature termination would surely generate renewed and intensified doubts about the commitment of our government to release all of the records that relate to the assassination of President Kennedy. We have devised a solution to the vexing problem of continued government secrecy and the Kennedy Assassination. I appeal to my colleagues to let it succeed.

I urge my colleagues in the Senate to give unanimous consent to S. #####.