

## Tupac Shakur Records Collection Act 2005

Written by Davey D ID2086

Monday, 07 November 2005 22:38 -

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The news item below appeared on the front page of Roll Call on Monday, November 7, a daily newspaper that goes to all Congressional offices. It was in response to Rep. McKinney submitting the Tupac Shakur Records Collection Act last week (H.R. 4210). I have attached a short summary of the Tupac Shakur Records Collection Act. No publicity or colleague letters had yet been done regarding the bill, but both Roll Call and Congressional Weekly called about it, and three Republican congressional offices as well.

As you know, Rep. McKinney called for the legislation during the

Congressional Black Caucus "Brain Trust" panels on "Countering Culture: COINTELPRO Attacks on Political Musicians" that addressed the remaining unsolved murders and strange deaths of Paul Robeson, Jimmi Hendrix, Bob Marley, rap artists Tupac Shakur and Biggie Smalls, among others, and government attacks on the Hip-Hop generation.

I thought you might want to see this and respond in whatever way you think is appropriate. You can find Roll Call online at [www.rollcall.com](http://www.rollcall.com). The writer at least noted that the dismissive comments from committee staff were "snarky". It appeared in "Heard on the Hill" a regular gossip and humor column about members. It mentions the Martin Luther King Records Act (H.R. 2554) in passing, which now has 9 co-sponsors and needs more.

I think it would be important for people to make their Congressional representatives take both bills seriously, as they reflect the wishes of a large segment of their constituent communities I am sure. If you would want to consider a joint letter to Roll Call we could work on drafting one from your comments.

John Judge

Special Projects Assistant, Rep. McKinney

202-225-1955 afternoons

California Love

November 7, 2005

By Mary Ann Akers,

Roll Call Staff

Hip-hop fans take note: Rep. Cynthia McKinney (D-Ga.) dropped a bill last week calling for an investigation into the 1996 murder of legendary rap star Tupac Shakur. H.R. 4210 calls for the<sup>3</sup>expeditious disclosure of records relevant to the life and death of Tupac Amaru Shakur.<sup>2</sup>

The late Pac's mother, former Black Panther Afenia Shakur, is backing the bill, according to the publication The Black Electorate, which was first to report on McKinney's effort. Shakur joined McKinney at a September Congressional Black Caucus Braintrust event called

'Countering Culture: COINTELPRO Attacks on Political Musicians.'

The online newspaper quoted McKinney as saying, "Basically we would model the Tupac legislation on the MLK legislation, which I introduced earlier this year . ... We know that in 1999 a jury determined that there was a conspiracy to kill Dr. King that included our own government. To the extent that there are files available on the life and murder of Tupac, they too should be released for public inspection."

In a statement provided to HOH, McKinney said of the late artist's unsolved death: "His family and his family of fans have the right to know what happened on that fateful night. The public has the right to know because he was a well-known figure. There is intense public interest in the life and death of Tupac Shakur."

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For sure. But not so much in this Congress. A GOP aide who works for one of two committees that would have oversight over the legislation told HOH, "This is not at the top of the priority list, I can tell you that." And the aide even joked that if there ever is a hearing, "I hope the committee calls Tupac himself, because I keep reading on the Internet that he's actually still alive. I mean, if he's really dead, how does he keep putting out albums?"

Seriously, what's up with that? As rapper Chuck D. once said, "Tupac sold 5 million records when he was living; he sold 22 million when he was dead. Death sells." (Actually, Tupac sold a lot more than that after he died.)

Another snarky GOP aide said of McKinney's effort, "You can't accuse

Congressional Democrats of not having an agenda anymore. But when is she going to introduce similar legislation on the Notorious B.I.G? Maybe it's an East Coast/West Coast thing."

## SUMMARY OF TUPAC AMARU SHAKUR RECORDS

### COLLECTION ACT OF 2005

The primary purposes of this Act are:

The expeditious disclosure of records relevant to the life and death of Tupac Amaru Shakur, the preservation of all such records for historical purposes, and to secure a presumption of disclosure to fully inform the public.

This Act is necessary because:

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Records might be lost or destroyed which are not subject to disclosure. The Freedom of Information Act (FOIA) has prevented timely disclosure. Most related records do not involve national security, 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 death of Tupac Amaru Shakur.

This Act will create a Tupac Amaru Shakur Records Collection at the National Archives and Records Administration (NARA), and will require expeditious transfer of records to the collection. NARA will also create a secondary location for copies of appropriate items in the Collection, in agreement with the Tupac Amaru Shakur Arts Center in Stone Mountain, Georgia, to provide maximum public access, and encourage continuing study and education regarding the life and death of Tupac Amaru Shakur.

Only clear and convincing evidence can create grounds for temporary postponements of release or redaction of records, limited to threats to a living intelligence agent whose identity currently requires protection, an intelligence source or method currently in use which has not yet been officially disclosed, disclosures of sources and methods that would interfere with the conduct of current intelligence activities, and any other matter that would demonstrably impair the national security of the United States.

The civil rights, civil liberties, African-American and entertainment communities, in accord with the Federal Citizens Advisory Committee Act, will nominate an independent Citizens Advisory Committee. All nominees to the Citizens Advisory Committee must be impartial private citizens, not presently employed by any branch of the government, who have not been involved with any official investigation or inquiry into the life and death of Tupac Amaru Shakur conducted by any federal, state or local government, and who also have not been previously employed by any intelligence or law enforcement agency involved. They will include at least three professional experts in current history, three attorneys from the civil liberties community, three members of the civil rights community, and at least one member of the immediate family of Tupac Amaru Shakur.

The Archivist and the Citizens Advisory Committee will share the power to direct government offices to locate and organize related records and transmit them for review or release. They

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may also investigate the facts surrounding the transmission or possession of records, and take testimony of individuals in order to fulfill their responsibilities. The Archivist and the Committee can request the Attorney General to subpoena private persons or government employees to compel testimony (or subpoena records in the case of the Archivist), and require agencies to account in writing for any previous or current destruction of related records. The Archivist and the Committee can hold hearings, administer oaths or subpoena witnesses and any appropriate federal court can enforce these subpoenas.

The Committee on Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate will have continuing oversight jurisdiction over the Archivist, the Collection and the performance of government agencies. Annual hearings by Congressional oversight committees will be held up to and including the year in which the Archivist makes a final determination that the collection is complete and fully disclosed to the public. Within 3 years of enactment all related records would be released in full to the public.

All records still pending postponement decisions by the Archivist or the President upon termination of the Review Board will be presumed available for release and transmitted to the Archivist for release within 60 days of its termination. Any related records discovered after termination of the Act will continue to be reviewed for release under the standards of this Act, not the Freedom of Information Act or other legislation or executive orders concerning declassification.