

**Statement of Margaret A. Burnham**  
**Nominee,**  
**The Civil Rights Cold Case Records Collection Act Review Board**  
**U.S. Senate Committee on Homeland Security and Governmental Affairs**  
**January 13, 2022**

I appear before you today for consideration to serve as a member of the Civil Rights Cold Case Records Review Board. I thank President Biden for this nomination, and I thank Chairman Peters, Ranking Member Portman, and members of the Committee for the opportunity to appear today. It is a deep honor, and indeed, the highlight of a long career, to be nominated and to be considered by this august body.

As you may know, the five-member Review Board will review government records to facilitate the expeditious disclosure of documents related to civil rights cold cases. The Review Board will consider and render decisions on determinations by a Government office not to disclose, or to delay disclosure, of civil rights cold case records. The Board will decide whether a record constitutes a civil rights cold case record and whether a record or particular information in the record qualifies for non-disclosure. All members of the board will meet to discuss how to carry out this mission. Members will review redacted records, or records for which public disclosure is postponed, and participate in rendering a report to congressional leadership. The Review Board can request that the Department of Justice pursue a petition to release information relevant to civil rights cold cases held under seal by any court in the US or abroad. If I am appointed, my priorities on the board would be to work closely with the National Archives to assess which records are subject to release under the law, to establish a schedule for review of such records, to engage and inform the public about the activities of the board, and to develop protocols for, and release qualifying documents as appropriate. With my fellow board members and staff, I would work with the Congress and representatives from this Committee to implement recommendations to improve the Review Board's operations and effectiveness.

I am eager to serve as a member of this board because I believe that it can play an important role in facilitating public access to government records relating to civil rights cold cases, thereby furthering the intent of Congress, as reflected in the Emmett Till Unsolved Civil Rights Crimes Act, and the Civil Rights Cold Case Records Collection Act, to serve the public interest in prompt disclosure of civil rights cold case records for historical and Government purposes and to fully inform the American public about the history surrounding these cases. The disclosure of these records will serve to respond to the concerns and questions of the families and communities most affected by these events.

I believe I would bring unique expertise and experience to this position. I am familiar with the government records that are the subject of the Act, having used these records in my academic research for more than a decade. I am familiar with the community of scholars, civil rights activists, and descendant communities that seek the prompt and comprehensive release of these documents. I have been a member of the bar for fifty years, and I have served as a Massachusetts state court judge, a practicing civil rights and criminal law attorney, and, since 2001, a law teacher.

I am grateful for this nomination and the important public service opportunity that it presents, and I ask for your support.

Thank you.