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April 24, 137/Jeterny GuillicounselAssassination necords neview boardbear ivit. Guilli, iviay Lotter my sincere and heartiest congratulations toyou, the members of the Board and other members of the staff of the Kennedy Assassination Record Review Board for yesterday's bold move to begin making the Zapruder film accessible to allAmericans through the JFK Records Collection Act. As you are aware, I was in attendance at the April 2, 1997hearing in which the taking of the film was discussed. Althoughseveral of those giving testimony offered valid arguments on behalf of making the Zapruder film part of the National Archives' Ken-nedy Assassination Collection, I was particularly struck by thewords of law professor Robert Brauneis from George WashingtonUniversity. He told the Board: There are two major operative provisions in the [JFK Records Collection] act, they are Sections 5 (c) (1) and 5 (d) (3). They both use the terms "assassina- tion record" and "possession". Section 5 (c) (1) directs each government office to review, identify and organize each "assassination record" in its "custody or posses- sion" for eventual transmission to the JFK Collection. Section 5 (d) (3) directs the Archives to place in the JFK Collection all, again, "assassination records" which are in its possession and which have been publicly available in their entirety without redaction. Mr. Gunn has suggested that it's not really a question before the Board today whether the Zapruder film consti- tutes an "assassination record" but I guess just to add to that I think I would point out that if a court were in the position of having to decide this issue I think that there is a very good chance that it would find that the Zapruder film is indeed an assassination record. So putting aside for the moment other provisions of the JFK Act, these two operative provisions would indeed seem to mandate the transmission of the Zapruder film to the JFK Collection. [From the tran-script provided by Mr. Joseph Backes, of Albany, New York.] I could not agree more with Professor Brauneis, norwith Washington, D.C. attorney, James Lesar, who gave sim-ilar testimony. Neither could I argue with an allusion madeby Board member Dr. Henry Graf that this film is somehowiconic " . . . like the Liberty Bell or Betsy Ross's flag . . . " [From the transcript provided by Mr. Joseph Backes, of Albany, New York.] However, I wish to point out that the National Archives is currently in possession of a set of "records" that Ibelieve Professor Brauneis, yourself and the members of the Board would agree are also unquestionably assassinationrecords. These are being held by the Archives under condi-tions similar to those for the Zapruder film. I am speaking of the President's autopsy photographs and X-rays, the clothinghe wore at the time of the assassination, and the related ma-terials which were turned over to National Archives on Octo-ber 29, 1966 under a "Deed of Gift" by the Kennedy family. The importance of these items - medically, scientifically, and historically - exceeds even that of the Zapruder film. As the Board itself states in its 1996 report: As with any

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