

Assassination Records Review Board
Statement of Policy and Intent with Regard to the Zapruder Film
[DRAFT April 21, 2017]

The Assassination Records Review Board has considered carefully many of the complicated issues surrounding the motion picture film taken by Abraham Zapruder that depicts the assassination of President Kennedy.¹ The Board has been informed by the testimony of experts during its public hearing on April 2, 1997, and by the written comments of members of the public.

The Review Board believes that:

With respect to the historical value of the Zapruder film,

it is possibly the single most important historical record of the assassination of President Kennedy;

it should be owned by the American people and it should be preserved and stored under proper archival conditions in perpetuity at the National Archives and Records Administration; and

the Review Board should take all actions within its legal authority to ensure that the Zapruder film be owned by the public.

With regard to a taking of the Zapruder film,

if the U.S. government were to “take” the Zapruder film, the Fifth Amendment of the United States Constitution requires that “just compensation” be paid to the legal owner (presumably LMH Company) and such compensation would need to be paid to the owner in accordance with Federal law;

it is possible that the acquisition of the Zapruder film by the United States government in the manner required by the Fifth Amendment, or through a negotiated purchase, could cost the taxpayers millions of dollars; and

the legal authority of the Review Board to effect a “taking” may be

¹The version of the Zapruder film that is generally, although not universally, believed to be the camera-original film, is designated by the National Archives and Records Administration as 200 ZAP 1; ORSK{P} 8 mm.

uncertain.

With regard to the evidentiary and informational value that may be derived from the Zapruder film,

the Review Board, as part of its mandate, should work to ensure that the best possible copy of the Zapruder film becomes easily available to scholars and researchers;

the Zapruder film should be digitized, according to the best available technology, and this digitized version should be inspected by appropriate experts to verify the authenticity of the digitized version and to establish a means for ensuring an immutable “base” reference;

all reasonable tests of the Zapruder film should be conducted to determine whether it is in fact *the* “camera-original film”; and

all reasonable forensics tests of the Zapruder film should be conducted in order to elicit all evidentiary value that it possesses.

With regard to the role of Congress,

Congress should be made aware of the status of the Zapruder film and of the Review Board’s belief that the film should become public property;

Congress should be afforded an opportunity to purchase the Zapruder film; and

Congress should be informed that the Review Board is taking steps to ensure the public’s access to the historical and evidentiary value of the Zapruder film.

The Review Board decides that:

First, the Zapruder film is an “assassination record” within the meaning of the President John F. Kennedy Assassination Records Collection Act of 1992;

Second, it will accept a copy of the film in lieu of the original providing the following conditions are met:

- a. the best possible copy of the film is made available to the public for research and scholarly use;
- b. a digitized copy of the film is produced that can serve as a “base reference” and whose authenticity can be proven;

- c. all appropriate tests are conducted to determine the film's authenticity;
- d. all appropriate tests are conducted to elicit the film's historical and evidentiary value; and
- e. Congress be given sufficient opportunity to purchase the film.

Third, the United States Congress will be advised that if these conditions are not met by [date], it is the Review Board's current intention to advise the Archivist of the United States that the original Zapruder film should be transferred to the President John F. Kennedy Assassination Records Collection at NARA unless Congress advises that the Review Board does not have the authority to instruct the Archivist to transfer the Zapruder film to the JFK Collection.