

November 15, 1995

Mr. Bruce Campbell Adamson
P.O. Box 91
Aptos, California 95001-0091

Dear Mr. Adamson:

David Marwell referred your November 2 and November 8 letters to me for a response. I hope that I will be able to clear up the misconceptions that seem to have arisen.

It is important for you to understand that the Assassination Records Review Board does not intend to take any actions that would violate any copyright interest that you may have in the chapter of your book to which you refer. To the extent that you were under the impression that the Review Board would be taking such steps, let me assure you that there has been a misunderstanding. I have shown Mr. Samoluk your letters and have discussed the issues with him. He assures me that, based upon his review of your letters, there apparently has been a misunderstanding.

In his discussions with you, Mr. Samoluk was referring solely to the fact that records that come into the possession of the Review Board ultimately will be included in the JFK Collection at the National Archives. This is a requirement to which we must adhere under our controlling law. *See* 44 U.S.C. § 2107.3(2) (note). The fact that such records will be transferred to the Archives does not affect the copyright status of the record. For example, some of the records that already are in the JFK Collection contain copyright restrictions. People who have access to those records in the Archives are required by law to comply with applicable copyright restrictions. In many ways, the copyright issues arising for the Archives are no different from the copyright issues as they relate to public libraries. Public libraries -- like the Archives -- are in the business of making copyrighted books and articles available to the public. The Archives and libraries do not violate copyright laws by making the materials available. It is the persons who use the copyrighted material (*e.g.*, researchers and patrons) who are responsible for not engaging in an unfair use of the material.

Based upon your stated concerns, it seems to me that the most practical step that can be taken at this point is to ensure that your materials are marked as being copyright-protected. Thus, when your manuscript is placed in the Archives, you should be protected to the extent provided by copyright law.

Mr. Bruce Campbell Adamson

November 15, 1995

Page 2

I hope that this help resolves any misunderstandings that may have arisen.

Sincerely yours,

T. Jeremy Gunn

General Counsel