

July 8, 1996

Mr. Tom Alyea  
Box 4266  
Tulsa, Oklahoma 74159

Dear Mr. Alyea:

Tom Samoluk has shown me your correspondence with him and I have read the Deed of Gift that you signed on May 5, 1996.

We are not in a position to return the original to you. We have incurred expenses based upon your representations and agreement to give the film to the Archives and we believe the original should be kept for the American people. The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (Supp. V 1994) presumes that once assassination records come into our possession, they will be sent to the Archives.

We have sent the film to the National Archives and have requested that it be placed in a secure facility that is temperature and humidity controlled. We have not requested that it be added to the JFK Collection at this time, as we would like to give you one last opportunity to amend the Deed of Gift to include some provision regarding any copyright interest that you may have. We are, of course, very willing to work with you in this matter.

You raised a couple of interesting additional issues to which I would like to respond. First, I understand that you believe that it would be in the public interest for the Sixth Floor Museum in Dallas (as I understand it) to show your film to visitors so that it can be widely seen. This seems to me to be a very good idea and we would encourage you to pursue the issue with any museum that you might choose. The Review Board's goals include encouraging easy public access to records related to the Kennedy assassination. We presume, however, that no museum that had respect for archival-quality films or tapes would even consider repeatedly showing an original film or tape to the public. Rather, it would make a high-quality reproduction and then show the copy. To do anything less would cause early and unnecessary damage to the original. We would be pleased if you were able to make an arrangement for the showing of such a copy of your film through the auspices of the Sixth Floor Museum.

Second, you express some concern that individuals whose beliefs may not correspond to your own

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may attempt to use the film for purposes with which you do not agree. Although I was not entirely clear about what you meant in this regard, let me make two short points: (i) The Review Board does not make access decisions based upon our agreement or disagreement with the viewpoints of the person seeking access and it is not our intention to screen people based on their beliefs. (ii) To the extent that you are concerned about copyright issues -- on which the Review Board has no position with respect to your film -- we would be pleased to work with you to draft a new Deed of Gift that would allow you to assert any copyright claim that you might have.

Please do not hesitate to contact me. If we do not hear from you by the end of this month about possibly amending the Deed of Gift, we will take steps to have the Archives place the film into the JFK Collection.

Sincerely,

T. Jeremy Gunn  
General Counsel