

November 4, 1997

Professor Theresa Gabaldon
Chair, Tenure and Promotions Committee
George Washington University Law School
716 20th Street, NW
Washington, D.C. 20052

Dear Professor Gabaldon:

A few months ago I wrote a letter to Dean Jack Friedenthal regarding my agency's appreciation of the testimony that Professor Bob Brauneis delivered to our Board in a public hearing on April 2, 1997. I thought it might be appropriate at this time also to let you know of the valuable contribution that he made to our work.

The Assassination Records Review Board is an independent federal agency that was created pursuant to the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107. One of the more difficult tasks that we have had is determining the appropriate disposition of the famous Zapruder film that depicts the assassination of President Kennedy. The film has been owned by the Zapruder family, but has been kept in the custody of the National Archives. The question with which we needed to grapple was the extent to which our authorizing legislation permits us to exercise eminent domain (and thereby "take") the Zapruder film and place it in the permanent custody of the National Archives.

On March 14 of this year, our Board decided that it wished to hold a public meeting within two weeks to hear a discussion of issues related to the Zapruder film. I thereupon contacted two professors at GW, with whom I am acquainted, and asked for suggestions regarding who might best testify on legal issues relating to the film. Both recommended Bob Brauneis. I remember calling him from the LBJ Ranch in Texas, where I was then on business, and asked if he might be able to put together some thoughts and recommendations on this issue. After a few minutes of reflection he readily agreed to do so.

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Given the short time frame, I frankly was expecting little more than a pro forma discussion of the basic issues. I was wrong. He delivered a sophisticated and well researched analysis. Although he did not offer an ultimate opinion, he laid out the issues in a systematic and objective way. The public reaction to his testimony mirrored my own. Because the hearing was televised nationally on C-Span, I heard comments from all over the country about what an impressive job he had done. The Board members all told me how appreciative they were of his work. He made it look so easy that I suspect they might not have appreciated fully the extent of work. He was a significant credit not only to himself, but to George Washington University. The country surely benefits from having such people as Professor Brauneis in the Capital where they can lend their talents to serving the public interest.

I do not think I can speak more highly of the diligence, energy, and intelligence that he contributed to the public interest.

Sincerely yours,

T. Jeremy Gunn
Executive Director and General Counsel

cc: Dean Jack Friedenthal