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Subject: Meeting with Chairman Burton

I was able to speak with Dan Moll, Chairman Burton's Deputy Director, for about 30 minutes late yesterday and I explained the background on the issues. Dan was able to schedule a meeting with the Chairman and the Board at 11:00 on June 4 (the day of the next Board meeting). Dan asked me who would be coming. I said that the entire Board would like to meet with Burton. He advised against this, though he did not have strong feelings. He also warned that the Chairman frequently needs to cancel or postpone meetings and that we should understand that in advance. He asked me to send a memo outlining the issues that he and I discussed. I will prepare the memo and send it as soon as possible. In the memo I will say, unless I hear from the Board to the contrary, that the entire Board would like to meet with the Chairman but that it is prepared to follow the wishes of the Chairman on the matter. Brief synopsis of my discussion with Dan: the Board believes that the JFK Act essentially defines the original Zapruder film as an assassination record, and, under the Act, all assassination records should be transferred to the JFK Collection. At the time the Act was passed, the Z film was in the "possession, custody, or control" of the US government, but it was private property. Because the Board believes that it is critical that the Z film remain in government control, it took steps to ensure that it would remain in the Archives by adopting a resolution. Since that time, the Z family and DOJ have been in discussions about the value of the film. I told him that the Z family was essentially asking for \$18 million tax free, and DOJ has offered \$3 million. Lawyers disagree about whether the Congress "intended" the Board to be able to take private property like the Z film. I said that DOJ wishes to follow the intent of Congress, but is somewhat uncertain as to what that intent was. Dan asked me about how the Judgment Fund works and I described it to him. I said that it was my impression that Hunger, for obvious reasons, doesn't want to be second-guessed by Congress. He wants neither to be criticized for not acquiring what Congress wanted him to acquire, nor to pay more money than is appropriate. I concluded by saying that the Board believes that it is very important that the film be in the possession of the government and that it would like to talk to Burton about this. Dan was entirely neutral throughout and gave no hint of his own opinion on the matter. He asked good questions and considered, hypothetically, several options and asked what the consequences would be for each course of action. He gave no clue as to what the Chairman will think. I believe he came away from the conversation with the clear impression that: (a) the Board thinks this is important; (b) it is in fact an important issue that needs to be decided prudently; (c) the film could potentially cost the government somewhere between 18 and 25 million dollars. He said nothing that even hinted that the potential amount was ridiculous.

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