

August 6, 1996

Mr. Tom Alyea  
2036 East 12th Place  
Tulsa, OK 74104

Dear Mr Alyea:

This is in response to your letter of July 15, 1996 to Mr. Jeremy Gunn. I am responding because there are frequent references to me in your letter that I can best address. The Review Board still believes that this matter can be resolved to the satisfaction of both parties. For the sake of clarity, I will respond to the points in your letter in the order that you presented them.

1. The audio tape of the conversation that I had with you in Tulsa on May 2, 1996, the day you turned the film over to me, contains no reference to conditions that you were placing on the donation of the film. The only condition that was discussed up until May 16, 1996, and was included in the agreement that you signed, was that the Board would provide you with a positive and a negative copy of the film. On May 16th, the day that the draft substitute Deed of Gift arrived at your residence, along with the positive and negative film copies, you expressed concerns about the film for the first time in a telephone conversation with me. Prior to that conversation, you had never expressed to me any concerns regarding the availability of the film at the National Archives.

2. Contrary to your statement that you have not been asked to provide a chronology of events related to the film from November 22, 1963, I spent nearly two hours getting your account on tape, at your request, on May 2, 1996 in Tulsa. That tape is part of the records that the Review Board will send to the National Archives for inclusion in the JFK Collection when we complete our work. In addition, in anticipation of your written commentary being provided to the Board, the draft substitute Deed of Gift that we provided to you, states in paragraph 1 that "A description of the film is attached at Appendix A." Please note also that the May 15, 1996 letter from me that accompanied the Deed of Gift states, "Your written description of the sequences on the film will become 'Appendix A' referenced in paragraph 1 of the Deed of Gift." We continue to be interested in obtaining a more detailed description of the film in accordance with what you would like to provide. (May 15, 1996 letter and draft substitute Deed of Gift attached, with relevant parts highlighted.)

3. There was no agreement that was violated relative to the film being sent to the National Archives. It was made clear from the beginning of our discussions that the purpose of the Review Board obtaining the film was to make it part of the JFK Collection at the National Archives.
4. As previously stated, the Board applauds your efforts to work with the Sixth Floor Museum to make viewing of the film possible there and to also make copies available to schools and libraries. You noted that the film would carry a copyright notification. At your direction, we are willing to instruct the National Archives to duly note your copyright claim on the original film and amend the Deed of Gift to include the copyright claim. (Please see the enclosed second draft substitute of the Deed of Gift, with the relevant part of paragraph 5 on copyrights highlighted.)
5. The Review Board sought to obtain your film, after you had initially contacted us, precisely because we want to supplement the current record of the assassination with films, photographs and other records that were not already in the JFK Collection. As mentioned above in number 2, that is also the reason we seek your commentary to accompany the film at the National Archives.

The Review Board and staff do not seek to have an adversarial relationship with you. It is our belief that your goals and concerns can be addressed, while the Board is also able to fulfill its mandate under the law. Having stated that the Board is not in a position to return the film to you, I believe that the most productive next step is for you to advise us that you are interested in working with us on drafting a revised Deed of Gift that addresses your concerns and desires, within the parameters of the law. In addition, as stated in number 4 above, it would be most fruitful if you advised us that you wish the film at the National Archives to carry your copyright claim with it. Short of that, the film will be available to all parties, with no restrictions. Because I do not believe that this is the result that you seek, I hope you will contact me at your earliest convenience to allow for the best resolution of this matter.

Sincerely,

Thomas E. Samoluk  
Associate Director

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