

Putting a Price on Piece of History

THE WASHINGTON POST

Washington — Abraham Zapruder wouldn't even have had his movie camera with him if his secretary hadn't prodded him to go home and get it. What the Dallas dressmaker caught on film Nov. 22, 1963, is one of the most stunning visual documents of the 20th Century: a sunlit depiction of the assassination of President John F. Kennedy.

Described by experts as the single most important piece of evidence about the 1963 murder, the 26-second

Zapruders, U.S. dispute film value

home movie captured in gory detail the shot that killed Kennedy.

It has been in cold storage at the National Archives for 23 years but the in-camera original, and the copy-right, still belong to the Zapruder family.

That will change Aug. 1 when it becomes public property, an official "assassination record" designated last year by a unanimous vote of the Ken-

nedy Assassination Records Review Board. But the film is the subject of stiff negotiations between the Justice Department and lawyers for the Zapruders over what price to put on this unique piece of history.

The Zapruders have asked for \$18.5 million for the film and the copyright, sources said, and have hired Washington lawyer Robert S. Bennett to press their claim. The Justice Department

has offered \$750,000 while suggesting it might go as high as \$3 million.

The Zapruders are considering litigation invoking their constitutional right to "just compensation" for property seized by the government.

"The Zapruders have been very reasonable, very generous in their dealings with the government," Bennett said. "They have no desire to exploit the situation. They've offered the government a digitally enhanced, first-generation

Please see FILM on Page A51

tion copy at no charge. They simply want to get this resolved."

"There is also a serious question of whether the government even has a right to take the film," added Bennett's law firm colleague, Richard L. Brusca.

Government officials contend the 1992 law setting up the assassinations board automatically made the film U.S. property. In any case, Brusca said, "the point is that the family is willing to give it to the government for much less than what we believe we can get for it on the open market or at an auction."

Experts have inspected the original at the Archives facility at College Park, Md. "They made several different copies in Dallas that day," said Les Waffin, the archivist who takes care of the Zapruder film and about 18 copies in a room-sized freezer. "The color in the original is much better. It's still vibrant. It's in very good shape."

Its 480 pristine frames (six others were damaged by Life magazine but can be seen in copies) are laid out straight between Mylar sheets so experts can peer at them with magnifying glasses.

The Zapruder family has obtained valuations ranging from \$22 million to \$70 million, while the Justice Department's experts submitted estimates ranging from \$1 million to \$13 million, sources familiar with the appraisals said.

The film has been used to prove everything and anything: that Kennedy was killed by a shot from the front, that he was killed by a shot from behind, that he and Texas Gov. John B. Connally were wounded by a single bullet, that they were hit by separate shots.

For some, it supports the Warren Commission's conclusion that Lee Harvey Oswald, acting alone, murdered the president. For others, it establishes a conspiracy.

"The film's historical importance cannot be gain-said," said University of Wisconsin professor David R. Wrone, author of a brief history of Zapruder's work. "It is key for the timing of the assassination, the location of physical objects, the study of the single bullet theory, the directional snap of JFK's head in reaction to a shot, the refutation of senseless embroideries, and many aspects of the criminal investigation."

Review board members said that they consider the \$18.5 million price exorbitant but that it is essential to put the original in the public domain.

"There are always going to be claims by someone that this film has been altered," board Chairman John R. Tunheim, a federal judge from Minneapolis, said. "To have the original remain forever in the hands of the American people will assure us that it is an accurate and reliable piece of evidence."

Tunheim said another "very important reason" for having the original lies in the possibility that technological advances may make it possible to extract more details from it.

Abraham Zapruder, who died in 1970, sold the original and a first-day copy to Time Inc. on Nov. 23, 1963, for \$150,000 and donated \$25,000 of that to a fund for a Dallas police officer killed that day, J.D. Tippett.

Time returned the original to the family in 1975, and they deposited it in trust at the Archives for safekeeping. The family has charged fees for commercial uses of the film, such as in Oliver Stone's controversial film "JFK," but informed sources say revenues since 1963 have totaled only about \$650,000.

Zapruder's son, Henry, a Washington tax lawyer, said that he prefers public ownership and but that his efforts to reach a settlement with the government have been met with flawed appraisals and even a rejection of his offer to submit to arbitration.

"The main stumbling block is in getting the government to face up to the hard question of how much the film is really worth," he said. "If they knew that, we could come to terms. If they drive this case to litigation, we will get a fair-market valuation that will be much higher than what we are willing to settle for. We are trying to make a contribution."