## GIFT OF PAPERS OR OTHER HISTORICAL MATERIALS

OF

## **INSERT NAME**

## TO THE

## INSERT DEPOSITORY NAME

- 1. In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms, conditions, and restrictions hereinafter set forth, I, **INSERT NAME**, hereby referred to as the Donor), hereby give, donate, and convey to the United States of America, for eventual deposit in the **INSERT LIBRARY NAME**, the papers and other historical materials (hereinafter referred to as the Materials) which are described in Appendix A, attached hereto.
- 2. The Donor warrants that, immediately prior to the execution of the deed of gift, the Donor possessed title to and all rights and interests in the donated Materials free and clear of all liens, claims, charges, and encumbrances.
- 3. Title to the Materials shall pass to the United States of America upon their delivery to the Archivist of the United States or his delegate (hereinafter referred to as the Archivist).
- 4. Following delivery, the Materials shall be maintained by the United States of America in the **INSERT LIBRARY NAME**, administered by the National Archives and Record Administration (NARA) in accordance with the pertinent provisions of Title 44, United States Code, and provided that at any time after delivery and subject to the provisions of paragraph 6, the Donor shall be permitted freely to examine any of the Materials during the regular working hours of the depository where they are preserved.
- 5. It is the Donor's wish that the Materials be made available for research as soon as possible, and to the fullest extent possible, following their deposit in the **INSERT LIBRARY NAME**. At the same time, the Donor recognizes that the Materials may include information about others the disclosure of which would constitute an unwarranted invasion of personal privacy and/or information the protection of which is essential to the Nation's security. Accordingly, the Archivist shall have the Materials reviewed and for the present shall restrict from public access the following classes of material:
- a. Papers and other historical materials the disclosure of which would constitute a clearly unwarranted invasion of personal privacy of a living person.
- b. Papers and other historical materials that are specifically authorized under criteria established by statute or Executive order to be kept secret in the interest of national defense or foreign policy, and are in fact properly classified pursuant to such statute or Executive order.
- 6. Following the completion of the review provided for above, material restricted from public

access shall not be made available for inspection, reading, or use by anyone, except regular employees of NARA in the performance of normal archival work on such materials, and the Donor or persons authorized by the Donor in writing to have access to such materials; provided that information which is security-classified pursuant to statute or Executive order shall be made available only in accordance with procedures established to govern the availability of such information.

- 7. Materials which have been restricted from public access as herein provided shall be reviewed by the Archivist or his staff from time to time and papers or materials which, because of the passage of time or other circumstances, no longer require such restrictions shall be opened to public access.
- 8. The Archivist may, subject only to restrictions placed upon him by law or regulation, provide for the preservation, arrangement, repair and rehabilitation, duplication and reproduction, description, exhibition, display, and servicing of the Materials as may be needed or appropriate.
- 9. Subject to the restrictions imposed herein, the Archivist may dispose of any of the Materials which he determines to have no permanent value or historical interest, or to be surplus to the needs of the Library, provided that prior to any such disposal reasonable efforts are made to notify the Donor and offer return of the materials.
- 10. The Donor hereby gives and assigns to the United States of America all rights, including but not limited to copyright and all other intellectual property rights, which he/she has in (a) the Materials being donated; and (b) in such of the Donor's writings as may be among any collections of papers received by the United States of America from others and deposited in any depository administered by NARA.
- 11. The Archivist may enter into agreements for the temporary deposit of the Materials in any depository administered by NARA and or other qualified depository.
- 12. In the event that the Donor may from time to time hereafter give, donate, and convey to the United States of America, for deposit in the **INSERT LIBRARY NAME**, additional papers and other historical materials, title to such additional papers and other historical materials shall pass to the United States of America upon their delivery to the Archivist, and all of the foregoing provisions of this instrument of gift shall be applicable to such additional papers and other historical materials. An Appendix shall be prepared and attached hereto that references this deed of gift and that describes the additional papers and other historical materials being donated and delivered. Any Appendix shall be properly executed by being dated and signed by the Donor and the Archivist.

Signed:		
-	Donor	
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Dated:		

Pursuant to the authority of Chapter 21 of Title 44, United States Code, the foregoing gift of the papers and other historical materials of the Donor is determined to be in the public interest and is accepted on behalf of the United States of America, subject to the terms, conditions, and restrictions set forth herein.

Signed:

	James B. Gardner, Executive for Legislative Archive Presidential Libraries and Museum Services
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# APPENDIX A

(Attached to and forming part of instrument of gift of	papers and other historical materials,
executed by INSERT NAME on	, and accepted by the Executive for
Legislative Archives, Presidential Libraries and Museum	Services on).
Description of the Materials:	

SAA Museum Archives Section Working Group Example