

DRAFT
DEED OF GIFT
FOR THE HISTORICAL MATERIALS OF
EVERETT K. KAY

1. In accordance with the provisions of chapter 21 of title 44, United States Code, and subject to the terms, conditions, and restrictions set forth in this instrument, Everett K. Kay (the "Donor") gives, donates, and conveys to the United States of America, for deposit in the President John F. Kennedy Assassination Records Collection (the "JFK Collection") at the National Archives and Records Administration (NARA), the following historical materials (hereinafter referred to as "the Donated Materials"):

Joseph Milteer Audio Surveillance Tape.

2. The Donor warrants that, at the time of the execution of this Deed of Gift, he possessed title to, and all rights and interest in, the Donated Materials free and clear of all liens, claims, charges, or encumbrances.
3. Title to the Donated Materials shall pass to the United States either upon delivery of the Donated Materials, or upon the execution of this Deed of Gift by the Donor and the authorized representative of the JFK Assassination Records Review Board or NARA.
4. Once title to the Donated Materials has passed to the United States, the Donor will make the Donated Materials available to the Assassination Records Review Board or NARA.
5. The Donor gives, donates, and assigns to the United States all intellectual property interest that he now possesses in the Donated Materials.
6. The JFK Assassination Records Review Board will instruct the Archivist of the United States (the "Archivist") to add the Donated Materials to the JFK Collection in accordance with the provisions of title 44, United States Code, section 2107.
7. Once title to the Donated Materials passes to the United States and the Donated Materials are included in the JFK Collection, the Donor may freely examine them during the working hours of the depository at which they are being maintained.
8. The Donor may, upon request and from time to time, obtain reproductions of any or all of the Donated Materials. The Archivist, or his or her designee, shall determine at the time of each request whether reproductions are to be provided free of charge or, in the alternative, for a fee set in accordance with the provisions of chapter 21 of title 44, United States Code.

9. (a) It is the Donor's wish that the Donated Materials be made available for use by the public as soon after and to the fullest extent possible following their inclusion in the JFK Collection. For this reason, the Donor places no restrictions on the use of the Donated Materials.
- (b) 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 Donated Materials as may be needful or appropriate.
10. The JFK Assassination Records Review Board agrees that once it receives possession of the Donated Materials, it will promptly ship the Donated Materials to the NARA for inclusion in the JFK Collection.

Date: _____

Signed: _____

Everett K. Kay

Date: _____

Signed: _____

David G. Marwell

Assassination Records Review Board

Having received the Donated Materials from the representative of the JFK Assassination Records Review Board and pursuant to my authority under 44 U.S.C.

§ 2111, I accept this gift on behalf of the United States of America, subject to the terms, conditions, and restrictions set forth above.

Date: _____

Signed: _____

John W. Carlin

Archivist of the United States