

DEED OF GIFT AND AGREEMENT

Henry A. Kissinger hereby donates to the United States of America, to be held and administered by the Library of Congress and its officials, as a gift to the nation, a collection of the papers relating to his years of government service and other periods of his life ("the Collection"). The Collection shall contain the papers described in a schedule to be prepared and attached hereto. In implementing this gift and as conditions to its donation, Henry A. Kissinger and the Library of Congress ("the Library") agree to the following:

1. Purposes. This Deed of Gift and Agreement are undertaken in order to assure --
 - (a) That the Collection may be preserved for future historical and public use.
 - (b) That national security information is protected.
 - (c) That Henry A. Kissinger may have access to the Collection, so that he may prepare a historical account of his years in government, and so that he may in the future give information

and testimony that may be requested of him concerning his years in office.

(d) That rights of privacy and the reputations of other persons may be protected for a reasonable time.

2. Papers in the Collection; Government Approval. The Collection shall consist of (a) personal papers of Henry A. Kissinger ("Personal Papers"), and (b) copies of government papers of which there is an original or record copy in government files ("Government Papers"). The Personal Papers shall include handwritten notes, private letters, papers dating from Henry A. Kissinger's years at Harvard University, and similar materials. The copies of Government Papers are those which Henry A. Kissinger worked on or reviewed during his government service, and which authorized officials have approved for inclusion in the Collection. Preexisting government privileges with respect to copies of Government Papers in the Collection shall not be affected by this gift.

3. Delivery of Papers. Personal Papers in the Collection will be delivered to the Library within three months after the date this Deed of Gift and Agreement is signed.

Copies of Government Papers to be included in the Collection will be delivered to the Library after they are reviewed by government officials with authority over the records, to assure that no original or record copies are included in the Collection, and will be delivered to the Library within three months after the date this Deed of Gift and Agreement is signed. Following each delivery of papers to the Library, the Library shall send to Henry A. Kissinger a written acknowledgment of the delivery.

4. Future Public Access to Personal Papers.

Personal papers shall be made available for public access, but not until 25 years after the date of this Deed of Gift and Agreement, or until five years after the death of Henry A. Kissinger, whichever is later.

5. Future Public Access to Copies of Government Papers. The copies of Government Papers in the Collection shall be available for public access, but not until the period of time provided in paragraph 4 has elapsed; however, such papers shall not be available for public access unless the originating agency has determined that a paper contains no classified or restricted information.


6. Use by Henry A. Kissinger. Henry A. Kissinger shall have unrestricted access to all papers in the Collection during his lifetime. The Library shall make available to Henry A. Kissinger working space where he may use the Collection and other materials of the Library. A research assistant or assistants engaged by Henry A. Kissinger shall be given access to the Collection, provided they have appropriate and current government-approved security clearances.

7. Use by Others During Interim Period.


Until the period described in paragraph 4 has elapsed, access to the Collection shall be limited (a) to such employees of the Library as may be jointly approved by the Librarian of Congress and Henry A. Kissinger; (b) to persons who have received the written permission of Henry A. Kissinger; and (c) after the death of Henry A. Kissinger, to persons who have received the written permission of a committee to be named in Henry A. Kissinger's will. Henry A. Kissinger shall, during this period, be promptly notified by the Library of Congress of any requests, claims, or legal actions relating to papers in the Collection. No person may have access under this paragraph to any classified paper in the Collection unless he has an appropriate and current government-approved security clearance commensurate with the classification of the paper.

8. Additions. Henry A. Kissinger may in the future donate additional personal papers and materials to be added to the Collection. Such additional personal papers and materials shall be governed by this Deed of Gift and Agreement. Their delivery shall be accompanied or preceded by a letter or statement signed by Henry A. Kissinger, and the Library shall send to Henry A. Kissinger a written acknowledgment of each delivery.

Witnessed and agreed to, this 12th day of November, 1976.


Henry A. Kissinger

Accepted and agreed to on behalf of the Library of Congress, this 12th day of November, 1976.


Daniel J. Boorstin
Librarian of Congress