

Chapter 6: Deaccessioning

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BASIC REQUIREMENTS FOR NPS DEACCESSIONS

Deaccession museum collections only under the following categories using the appropriate disposition documents that appear after each category.

- return to rightful owner (other than return of an incoming loan) – letter and Receipt for Property
- loss, theft, damage or involuntary destruction – Report of Survey
- voluntary destruction/abandonment – Report of Survey, Witness Statement
- outside Scope of Collection by transfer, exchange, conveyance (donation) or voluntary destruction/abandonment – Transfer of Property, Exchange Agreement, Conveyance (Donation) Agreement, Report of Survey
- destructive analysis – Memorandum of request
- NAGPRA compliance – Repatriation Agreement

Read the appropriate section of this chapter for the type of deaccession you are documenting. There are special requirements that you should be aware of for each deaccession type.

Get formal appraisals for all exchanges outside the DOI.

Place a 45-day public notice on the World Wide Web at <http://www.cr.nps.gov/csd> for all exchanges outside the federal government and all conveyances (donations).

Catalog all objects into ANCS+ before deaccessioning them.

Enter all deaccessions into ANCS+. Print the deaccession forms from ANCS+.

Complete a Deaccession Form (Form 10-643) for all deaccessions. Prepare a deaccession package for each deaccession. Include a justification for the deaccession, catalog records, a legal disposition document, and other documentation related to the deaccession.

A collections advisory committee must review all deaccessions outside the DOI and all deaccessions involving voluntary destruction or abandonment.

The superintendent must approve all deaccessions and sign all disposition documents.

Assign a deaccession number to each deaccession transaction.

Track deaccessions in the accession book or an optional deaccession book.

Store deaccession records in the accession folder or an optional deaccession folder.

Don't delete accession and catalog records for deaccessioned objects. Don't reuse these numbers.

CHAPTER 6: DEACCESSIONING

A. Overview

1. *What is deaccessioning?* Deaccessioning is the process of permanently removing National Park Service (NPS) museum collections from a NPS unit's ownership (title) and custody. It should be a rare action. This chapter discusses the types of deaccessions that the NPS permits and explains NPS deaccessioning procedures.
2. *Who must follow this chapter?* The staff person responsible for a NPS museum collection must follow this chapter to deaccession museum objects. These procedures ensure that NPS deaccession actions:
 - meet the highest professional, legal, and ethical standards for accountability of museum collections
 - withstand close public scrutiny
 - maintain the public's trust
 - protect park personnel or their relatives from allegations of unethical conduct, partiality, or conflict of interest

Procedures for returning incoming loans are excluded from this chapter. Refer to Chapter 2, Accessioning, in this handbook for procedures on the return of incoming loans.

B. General Information on Deaccessions

1. *What is the best deaccession policy?* The best *deaccession* policy is a good *accession* policy. NPS museum procedures require you to accession only objects that are appropriate to the park's scope of collection. Refer to the NPS *Museum Handbook*, Part I (*MH-I*), Chapter 2, Scope of Museum Collections, for guidance on writing a Scope of Collection Statement (SOCS). By setting up a good accession policy, you can avoid lengthy or potentially questionable deaccessions.
2. *What laws grant deaccessioning authority to the NPS?* Two laws specifically authorize NPS deaccessions:
 - Museum Act of 1955, P.L. 84-127, 69 Stat. 242 (codified as amended at 16 U.S.C. §§ 18f to 18f-3 [Supp.1997]).
 - Native American Graves Protection and Repatriation Act (NAGPRA), P.L. 101-601 (1990), (codified at 25 U.S.C. §§ 3001-3013 [Supp. 1997]).

Note: Refer to Appendix A in this handbook for the Museum Act of 1955, as amended.

3. *What types of deaccessions are permitted?*

The NPS is authorized by law to deaccession museum collections under these categories:

- return to rightful owner (other than return of an incoming loan)
- loss, theft, damage or involuntary destruction
- voluntary destruction/abandonment
- outside Scope of Collection by:
 - transfer to other NPS units
 - transfer of museum collections outside a park's SOCS and no longer needed for NPS museum purposes to qualified federal agencies dedicated to the preservation and interpretation of natural or cultural heritage and qualified to manage museum collections, including the Smithsonian Institution
 - exchange by accepting museum objects, museum collections, and other personal properties, and by granting in exchange museum property that is no longer needed or that may be held in duplicate, such exchanges to be made on a basis that is equitable and in the public interest, to:
 - other NPS units (two transfers is a simpler method)
 - other qualified federal agencies
 - non-federal governmental entities
 - private institutions and individuals
 - conveyance (donation) of museum collections outside the park's SOCS and no longer needed for NPS museum purposes to:
 - private institutions exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986, dedicated to the preservation and interpretation of natural or cultural heritage, and qualified to manage museum collections
 - non-federal governmental entities, providing the recipients are dedicated to the preservation and interpretation of natural or cultural heritage and qualified to manage museum collections
 - voluntary destruction/abandonment of museum collections that have been determined to have no scientific, cultural, historic, educational, esthetic, or monetary value
- destructive analysis
- compliance with NAGPRA

You may deaccession museum collections by transfer, exchange, conveyance (donation), voluntary destruction, or destructive analysis only if the NPS owns the objects (clear title) and there are no restrictions on such an action in the documents transferring title to the NPS.

4. *What does the term “conveyance” mean?*

For NPS purposes, a conveyance is a donation, since the NPS can't receive money for museum objects. You only convey objects to entities outside the federal government.

5. *Who determines which objects to deaccession?*

As the staff person responsible for the museum collection, you must propose all potential deaccessions and recommend action to the superintendent.

The superintendent must set up a collections advisory committee to review all exchanges outside the Department of the Interior (DOI), transfers to non-DOI federal agencies, conveyances (donations), and voluntary destruction/abandonment.

The superintendent approves or disapproves all deaccessions.

Note: In accordance with 41 CFR-101-45.902-2, the regional director, or other authorized reviewing official who is not directly accountable for the property, must approve abandonment.

6. *Must I convert previous deaccessions to the new system in this chapter?*

No. You may convert previous deaccessions to the new system described in this chapter, but conversion is not required.

7. *Where do I get the forms for deaccessioning?*

Use ANCS+ to print blank or completed deaccession forms. Use acid-free paper to print the forms.

Acid-free paper is available from the Supply and Equipment Program of the Museum Management Program (MMP), National Center for Cultural Resources.

8. *Must I follow these procedures to deaccession all types of museum material?*

Yes. The law requires you to treat museum collections “in a careful and deliberate manner that protects the public interest.” Refer to Section C.6 for information on removing non-museum property from the collection.

Refer to Section IV of Chapter 4 in this handbook for information on deaccessioning reproductions.

C. Special Considerations for Deaccessions

1. *May I deaccession hazardous objects or substances in a museum collection?*

Yes. Refer to the *MH-I*, Chapter 11, Curatorial Health and Safety Issues, Section D, for procedures on hazards in the collection. Follow the Report of Survey procedures in Section I of this chapter to deaccession these materials.

Nitrate negatives in Stages 3-5 of deterioration are hazardous materials. Deaccession them and dispose of them as an immediate threat through your hazardous materials coordinator. Refer to the MH-I, Appendix M: Nitrate and Cellulose Ester Film, for information on nitrate negatives.

2. *Should the park tell a donor about a deaccession?*

Although not legally required, it is a good practice to tell the source of accession (donor) or known heirs before starting a deaccession action. Because of potential tax liabilities defined by the Internal Revenue Service, you should not accession museum objects with the intent to deaccession them later.

Refer to Section C.7 of this chapter for information on tax liabilities.

3. *Must I catalog objects before deaccessioning them?*

Yes. You must catalog all objects proposed for deaccessioning. You must enter pre-Automated National Catalog System (ANCS+) manual catalog records into ANCS+ before deaccessioning them. Complete the registration data for objects that you deaccession due to loss, theft, or involuntary destruction (unless full catalog information is available).

4. *What are some things to consider before deaccessioning museum objects?*

Deaccession actions must:

- be consistent with relevant laws, and with current DOI and NPS policies
- consider the need to safeguard the federal government against loss of the scientific, associational, evidential, artifactual, informational and/or monetary value represented by the objects
- avoid real or apparent conflict of interest. Refer to 5 CFR 2635 and the related supplement, "Employee Responsibilities and Conduct" (43 CFR Part 20). Refer to the most current codes of ethics for curators and registrars published by the American Association of Museums.
- be supported by the catalog data and written justification

Deaccession actions should:

- keep the objects in public ownership whenever possible
- take into consideration any community requests for objects to stay in the museum, city or area, such as a local museum
- avoid the perception that the museum is deaccessioning objects in exchange for objects of lesser importance
- avoid the perception that the action is being made in accordance with current fads or fashions (for example, furniture of a certain period is no longer in high demand and so is deaccessioned)
- preserve the integrity of systematic collections

NPS employees and their relatives must not:

- acquire deaccessioned museum collections (or financial interest therein)
- appear to benefit personally in any way from a deaccession action and subsequent disposition

5. *May I reuse accession or catalog numbers from deaccessioned objects?*

No. Never reuse accession or catalog numbers from deaccessions. These numbers are permanently assigned to the objects in the deaccession.

6. *What can I do about non-museum property that has been accessioned into the museum collection by mistake?*

You must evaluate mistaken accessions on a case by case basis. Errors do occur, but you must correct them as appropriate to the circumstances. Seek the professional, written opinion of the members of the collections advisory committee. See Sections D.4 – D.6.

The mistakenly accessioned property must not fit the definition of museum property as defined in the glossary of the Cultural Resource Management Guideline.

Some examples of mistakenly accessioned non-museum property may include exhibit cases, exhibit mounts, and library books (except historic books such as those in Frederick Douglass’s library).

Don’t use the formal deaccessioning procedures in this chapter to deaccession non-museum property that has been accessioned in error. You don’t need to catalog this material. Instead, use the following procedures:

- recommend the deaccession to the superintendent with a written justification that includes the documented opinions of the members of the collections advisory committee
- have the superintendent sign a document authorizing the transaction

For example, if you recommend transferring exhibit cases to the facility manager, the superintendent signs a transfer of property.

Document the action as follows in order to “close the books” on the mistaken accession:

- place a memo explaining the action and supporting opinions in the accession file and catalog folder, if one exists
- write “Accessioned in Error” in the remarks column of the accession book and sign and date the entry (as appropriate, enter catalog numbers)
- change the object status on the catalog record in ANCS+ to “Removed Non-Museum Property”
- note the mistake in the description field and the disposition in the location field on the catalog record, if a catalog record exists

Don’t reuse the accession or catalog numbers.

7. *May I accession objects expressly to use them in an exchange?*

No. The NPS items used in an exchange must be outside the SOCS. A park may not acquire objects outside the SOCS. In addition, acquiring objects to use in an exchange gives the impression that the park is dealing in collections. There are also potential tax liabilities in doing this with donations.

Tax liabilities may relate to the:

- use to which a gift was put
- donor's intent in making the gift and knowledge about its use

<i>If the park...</i>	<i>Then...</i>
deaccessions donated objects within two years of the donation	the park must report the transaction to the Internal Revenue Service along with the donor's tax identification number on Form 8282, Donee Information Return
deaccessions donated objects more than two years after the donation	the donor still may be subject to penalties, but the park doesn't report the action to the Internal Revenue Service

With the superintendent's approval, a third party, such as the park's cooperating association, could assist the park with acquiring objects. For example, the association could acquire an object and exchange it for an object that the park wants. The association could then donate the object it acquired through the exchange to the park.

Note: The tax liabilities described above also apply to third party transactions.

8. *Do I deaccession nitrate negatives that have been reformatted?*

No. Don't deaccession nitrate negatives that have been reformatted.

You can destroy nitrate negatives at Stages 1-2 of deterioration if:

- the negatives have only informational or administrative value, *and*
- you have a high quality copy that has been inspected to current standards

Destruction of reformatted nitrate negatives is not a deaccession. Although you are destroying the negative, you still have the image, which will have the same accession and catalog number as the negative.

Refer to the *MH-I*, Appendix M, for information on nitrate negatives.

D. Processing Deaccessions

1. *Deaccession Requests*

You are responsible for processing deaccessions. The deaccession procedures outlined in this section are the same for all types of deaccessions. Actions specific to each deaccession type appear in Sections H-N.

You receive requests to deaccession items in the case of:

- return to rightful owner
- destructive analysis
- repatriation (NAGPRA)

You begin the deaccession process in the case of:

- loss, theft, damage or involuntary destruction
- objects outside the Scope of Collection Statement
- voluntary destruction/abandonment

2. *Consultation with the Regional/SO Curator*

Consultation with the regional/support office (SO) curator is recommended, but not required, for all deaccessions.

The regional/SO curator may consult with appropriate discipline specialists and recommend actions to you regarding the deaccession.

You should consult with the regional/SO curator about all NAGPRA requests.

3. *Deaccession Package*

For each proposed deaccession, prepare a deaccession package that includes all the documentation described in Section E. Prepare one deaccession package for each deaccession type and recipient. The package includes the following documentation:

- Deaccession Form, Form 10-643 (Figure 6.6)
- List of Objects, Form 10-417 (Figure 6.7) or equivalent
- justification for the deaccession (including documentation that the objects have been advertised throughout the NPS, if required)
- justification for disposition out of the order of preference (see Section K.2), if applicable
- catalog records and photographs
- appraisals (if required)
- legal disposition document

ANCS+ will print the deaccession form, list of objects, catalog records, and most disposition documents.

Forward the package to the superintendent for approval or disapproval (see Section C.7). The superintendent will forward the package to the collections advisory committee (see Sections C.4-C.6) for review. Some deaccessions require the committee's review, but the superintendent may choose to use the committee for all deaccessions.

4. Collections Advisory Committee

The superintendent must set up a collections advisory committee to review all deaccessions involving:

- transfer to another federal agency outside the DOI including the Smithsonian Institution
- conveyance (donation) to a private institution or non-federal governmental entity, as defined in section B.3
- exchange outside DOI (excluding exchange of natural history specimens)
- voluntary destruction/abandonment of museum objects

Note: The superintendent also may use the members of the collections advisory committee to review potential acquisitions. The committee may review other issues related to the museum collection, such as consumptive use requests.

The collections advisory committee reviews the appropriateness of the deaccession and its disposition. The law requires a systematic review that meets the highest standards of the museum profession. More importantly, a review committee composed of impartial and disinterested individuals provides for checks and balances. It protects the superintendent and park staff from possible accusations of partiality, self-dealing, or vested interest.

5. Collections Advisory Committee Members

The committee must include at least two members. One member must be a curator at or above the GS-11 level. The other members of the committee may not be under the supervision of the curator. If the park doesn't have a curator at or above the GS-11 level, the park must appoint a curator from another park or the support office.

Note: The members of the committee must be federal employees due to Federal Advisory Committee Act (FACA) considerations (41 CFR §§ 101-6.1004). On a case by case basis, the superintendent can request a non-federal specialist to review a deaccession transaction. The superintendent may ask the specialist to record his or her comments and recommendations on a specialist review form (Fig. 6:15), but the non-federal specialist cannot serve on the committee.

There is no maximum number of members for the committee. A committee

of three to five members is recommended. Possible sources for members are staff from the park, regional or support office, NPS cultural preservation and archeological centers, Denver Service Center, Harpers Ferry Center, other parks, and other government agencies. It is advisable to have one or more members from outside the park. Committee members should be chosen from the following list of specialists:

- curator (a minimum of one at GS-11 or above)
- archeologist
- archives technician
- archivist
- biologist
- conservator
- cultural resource specialist
- ethnographer
- geologist
- historical architect
- historical landscape architect
- historian
- interpreter
- museum specialist
- museum technician
- natural resource specialist
- paleontologist

Note: Some parks may choose to use the members from their Section 106 (National Historic Preservation Act) review committee for the collections advisory committee.

The person responsible for the museum collection advises the superintendent as to which members of the committee should review a particular deaccession. A minimum of two members must review and make recommendations on a deaccession. The superintendent notifies committee members who are to review a particular deaccession and appoints a lead committee member. Committee members may consult with subject matter specialists who are not on the committee regarding specific actions.

6. *Collections Advisory Committee Procedures*

The collections advisory committee meets at regular intervals, or as needed. If all the committee members are not at the same location, meetings can be by phone or videoconference.

The committee operates under a documented set of procedures to make sure that all decisions are fair, open, and in the best interests of the public. Each committee member must record his or her comments and document any consultations with other specialists. See Figures 6.14 and 6.15 for a sample set of procedures and a review form.

Committee members may recommend for or against deaccession of all the objects. They may also recommend against deaccession of individual objects, while agreeing with the remainder of the proposal. The lead committee member attaches the comments of the committee members, and any non-federal specialists consulted during the review, to the deaccession package. The committee then returns the package to the superintendent.

7. Approval or Disapproval

The superintendent reviews the deaccession package and approves or disapproves the deaccession and disposition.

<i>If the superintendent...</i>	<i>Then...</i>
approves the deaccession	he or she signs the deaccession form and disposition action
approves or disapproves a deaccession contrary to one or more of the collections advisory committee member's recommendations	he or she must attach an explanation to the deaccession form
disapproves the deaccession	the action stops

The superintendent may approve exchanges outside the federal government and conveyances (donations) but must inform the intended recipient of the 45 day public notice requirement. See Section K.8-K.11.

The superintendent may disapprove deaccessioning individual objects within the package while approving the remaining objects for deaccession. You can remove the disapproved objects from a partially approved package and return the package to the superintendent for approval. You may resubmit a disapproved package when you have addressed the reasons for disapproval.

Note: The regional director, or other authorized reviewing official who is not directly accountable for the property, must approve abandonment. See 41 CFR-101-45.902-2.

E. Documenting Deaccessions

You are responsible for documenting all deaccessions following the procedures in this section. Documentation must be clear, adequately cross-referenced, and permanently maintained by the park. The deaccession documentation in this section is the same for all types of deaccessions. Documentation specific to each deaccession type appears in Sections H-N. Include this documentation in the deaccession package.

1. ANCS+ Deaccessions Associated Module

The Deaccessions associated module in ANCS+ allows you to document and track deaccessions. When you complete the appropriate fields in the program, the program completes and prints all the deaccession forms for you. It also updates the Object Status and Location fields on the catalog records for the deaccessioned objects. Refer to Section VII of Chapter 4 in the *ANCS+ User Manual*. Use of this module is essential for keeping your annual Collections Management Report (CMR) accurate.

2. *Catalog Data*

Catalog all objects proposed for deaccessioning. You must enter pre-ANCS, manual catalog records into ANCS+. Complete both registration and catalog data fields on the Museum Catalog Record (Form 10-254). Complete the registration data for objects that have been lost, stolen, or involuntarily destroyed unless full catalog data are available. Catalog data support the proposed deaccession action and aid in the disposition of the objects. Documentation on the museum catalog record must demonstrate:

- what the object is
- the intrinsic, cultural, and scientific significance of the object
- the monetary value of the object (if the object has no monetary value, list it as \$00.00)

Refer to Sections E.5 and E.6 for information on appraisals.

You must keep catalog records for deaccessioned objects in your ANCS+ database. Don't delete these records. They are part of the paper trail for the deaccession.

3. *Photographs*

Where possible, photograph the object before completing the deaccession transaction. Keep the photograph as part of the permanent record for the object.

Photograph NAGPRA items that are determined to be culturally affiliated in consultation with the receiving party.

4. *Justification*

Concisely, justify in writing each deaccession transaction. The justification must clearly outline the details in support of the proposed action. The written justification for NAGPRA deaccessions must reference the data used to determine the NAGPRA categories.

The written justification for objects leaving the NPS must include documentation to show that:

- the park has advertised the objects throughout the NPS
- no other NPS sites are in need of the objects (or why the park denied NPS requests for the objects)

Note: The law states that you may deaccession objects to non-NPS recipients if the objects are no longer needed for NPS museum purposes. Advertising throughout the NPS is necessary to make sure that other parks don't need the objects for museum purposes.

If you propose a deaccession that is out of the order of preference, you must have a written justification. See Section K.2 for order of preference.

5. *Informal Appraisals*

Museum collections have scientific, associational, evidential, artifactual, informational and/or monetary value. You or outside specialists determine scientific and intrinsic value by examining the object and its documentation. You also must consider the object's association with the total collection. You may make an informal estimate of the monetary value of each NPS

object to be deaccessioned, as appropriate. This may be done by referencing:

- current values on the catalog record
- purchase price or appraisals made at the time of acquisition
- prices of similar objects paid at auctions, or recorded as paid in catalogs, trade journals, and similar publications

Enter the current value on the museum catalog record. Include the value of each object on the list of objects to be deaccessioned, if appropriate.

6. Formal Appraisals

The NPS requires formal appraisals only for exchanges outside the federal government. Get a minimum of one formal, written appraisal (sometimes referred to as “an arms-length appraisal”) for objects below \$20,000 in value. Get two appraisals for objects over \$20,000 in value. You are required to get appraisals for the objects you deaccession as well as those you acquire through an exchange.

Appraisals are recommended, but not required, for:

- transfers to non-DOI federal agencies, including the Smithsonian Institution
- conveyances (donations) to private institutions and non-federal governmental entities, as defined in Section B.3

Use prudent and conservative judgement in deciding whether to appraise objects before deaccessioning. Appraisals are appropriate to all collections for which there is a market. Appraisals are less likely to be needed for certain scientific collections, such as botanical specimens. However, some scientific collections, such as geological and paleontological collections, have a well-established market.

Appraisals are a necessary and accepted museum practice to:

- make sure that the deaccession is credible
- make sure that an exchange is equitable
- maintain the public trust
- avoid any value-related conflict of interest or appearance of conflict of interest

Generally, the NPS unit pays the costs for appraisals.

Enter the current appraisal value on the museum catalog record. Enter the value on the list of objects to be deaccessioned.

A formal appraisal is generally not required for the exchange of natural history specimens. For certain specimens, such as paleontology specimens, an appraisal may be appropriate. Consult the regional/SO curator before exchanging natural history specimens.

7. *Appraisers*

In order to acquire the services of a qualified appraiser, refer to Section IX in Chapter 4 of this handbook. Get lists of appraisers from the regional/SO curator, the NPS Clearinghouse, or curators/archivists of similar collections. Chapter 4 in this handbook has contact information for the American Society of Appraisers.

File copies of appraisals in the appropriate accession folder(s) or the optional deaccession folder.

A qualified appraiser must complete all appraisals.

The appraiser must:

- justify the appraisal in writing and sign the statement
- determine the value objectively
- state in writing that he or she will not acquire title to or interest in, and has no immediate interest in, any of the appraised objects
- avoid any conflict of interest or appearance of conflict of interest. For example, an appraisal by the curator of the collection would have an appearance of conflict of interest. An appraisal by the support office curator involved in the deaccession might have an appearance of conflict of interest.
- have no vested interest in the outcome of the appraisal

8. *Deaccession Form*

You must complete a Deaccession Form, Form 10-643 (Figure 6.6) for each deaccession transaction. The deaccession form includes the following:

- the type of deaccession and disposition
- a detailed list of objects in the deaccession
- a list of attachments to the form
- a brief summary of the deaccession
- your recommendation and signature
- the collections advisory committee's recommendation, if appropriate
- the superintendent's approval and signature

The superintendent must sign the deaccession form showing approval of the deaccession and disposition type.

9. List of Objects

For deaccessions involving several objects, attach a List of Objects, Form 10-417 (Figure 6.7) to the deaccession form. You may create a park-specific list to use in place of the List of Objects, Form 10-417. The list, which serves as an inventory of objects in the deaccession, must include:

- catalog number
- accession number
- item count or quantity
- object name
- brief description and condition
- value (if appropriate)
- space for comment

10. Legal Disposition Document

The legal disposition document conveys control (possession and title) of a museum object. It must accompany the deaccession form. Disposition documents vary depending upon the type of deaccession transaction. A list of appropriate disposition documents for each deaccession type appears below.

<i>Deaccession Type</i>	<i>Disposition Document</i>
Return to Rightful Owner	Receipt for Property
Loss/Theft/Damage Involuntary Destruction	Report of Survey
Voluntary Destruction/ Abandonment	Report of Survey Witness Statement
Outside Scope of Collection	Exchange Agreement <i>or</i> Transfer of Property <i>or</i> Conveyance (Donation) Agreement
Destructive Analysis	Memorandum of request to superintendent
NAGPRA Compliance	Repatriation Agreement

The superintendent must sign the deaccession form and the appropriate disposition documents. The recipient must sign the receipt for property, exchange agreement, transfer of property, conveyance (donation) agreement, or repatriation agreement.

You should recommend a specific disposition for the object when preparing the deaccession package. However, the superintendent may approve objects for deaccession before a specific disposition has been determined. You must then get separate approval for the disposition.

F. Tracking Deaccessions

You must track all deaccessions following the procedures in this section.

The tracking information outlined in this section is the same for all types of deaccessions.

1. *Filing Disapproved Deaccession Documentation*

File the deaccession package for disapproved deaccessions in the accession folder or in a file folder for deaccession proposals. File disapproved deaccessions by date if placed in a separate file folder. Maintain these files as permanent records.

2. *Deaccession Number*

Give each approved deaccession a number. A deaccession number has two parts separated by a decimal point:

- D (for deaccession)
- deaccession transaction number (sequential transaction number, such as 3 for the third deaccession transaction)

For example, “D.3” means the third deaccession transaction.

Put the deaccession number in the upper right corner of all documents that relate to the deaccession.

Enter the deaccession number in the remarks column of the accession book. The number is a cross-reference to the deaccession package that you filed in the accession or deaccession folder.

3. *Filing Approved Deaccession Documentation*

Permanently maintain the original paperwork for each approved deaccession at the park. This paperwork documents the history of the deaccessioned objects.

File the deaccession package and all associated documentation in the accession folder or an **optional** deaccession folder, described below. Whatever folder you choose, use it consistently. If you anticipate a large number of deaccessions (more than 10 deaccession transactions), use of the optional deaccession folder is recommended. Refer to *MH-II*, Chapter 2 in this handbook for information on the accession folder.

Accession Folder

- File all original paperwork in the accession folder.
- If the deaccession involves multiple accessions, file the original

paperwork in the accession folder of the lowest accession number.

- File archival copies of the deaccession form and disposition document in each subsequent accession folder.

Deaccession Folder (optional)

- Store all original documents associated with the specific deaccession transaction in the folder. Mark the deaccession number in the upper left corner of the folder. Use permanent black ink.
- Insert the optional Deaccession Folder Cover Sheet, Form 10-644 (Figure 6.8).
- File the folder by deaccession number.
- Store the folder in a separate, marked section of your accession filing cabinet.

Note: If you use the deaccession folder, you may also want to place an archival copy of the deaccession form and disposition document in the accession folder.

4. ***Deaccession Book or Log System***

Track deaccessions by using the ANCS+ Deaccessions associated module.

You may also use the **optional** Deaccession Book, Form 10-642 (Figure 6.9) or another form of log system to track deaccessions. The bound deaccession book is a sequential log of all deaccession transactions. Enter the following information for each deaccession:

- deaccession number
- deaccession date (the date the other party signs the disposition document). See Section E.10 for a list of disposition documents.
- brief description of items in the deaccession
- disposition (recipient name and address, for institutions include name of responsible official and department); describe disposition for deaccessions that have no recipient
- deaccession type
- accession and catalog numbers of the items in the deaccession (if there is not enough space, refer to a list in the folder)
- number of items in the deaccession (item count)
- remarks

Procedures for data changes and preservation and storage of the deaccession book are identical to those for the accession book. Refer to *MH-II*, Chapter 2, Accessioning, in this handbook.

Note: You can get deaccession books from the Museum Supply and

Equipment Program.

5. *Updating the Museum Records*

You must update both the electronic and paper accession records and electronic catalog records for all deaccessions.

All catalog records for deaccessioned objects must be in ANCS+.

Accession Records

- Enter the deaccession number in the remarks column of the accession book.
- Note deaccessions in the notes column on the list of objects attached to the accession receiving report.

Catalog Records

- ANCS+ will track the deaccession number automatically and enter “Deaccessioned” in the Location field.
- ANCS+ will enter the appropriate deaccession type in the Object Status field of the catalog record.
- ANCS+ will enter the fiscal year of the deaccession in the Status Year field of the catalog record.
- Change the Controlled Property field on the catalog record to N (no), if needed.
- Send copies of the updated electronic records to the National Catalog along with the annual electronic submission.

Other Documentation

- Note the deaccession on any other pertinent documentation, such as the catalog number log book.

Note: You must report the number of deaccessions for each year on your annual Collections Management Report (CMR).

G. Packing and Shipping Deaccessions

1. *Packing*

You are responsible for packing and shipping all deaccessioned objects.

You must pack all objects securely and adequately to make sure that objects aren't damaged in transit. Use professional packing and shipping companies if you lack the training, facilities, or materials to pack museum objects.

Pack and label containers according to the *MH-I*, Chapter 6, Handling, Packing and Shipping Museum Objects. If non-NPS staff do the packing, oversee the work. Enclose an inventory of objects and a return address in

each container. Include any special instructions for unpacking. Under separate cover send a copy of the inventory.

Before packing, shipping, or delivering NAGPRA items, consult with the receiving tribe or lineal descendant to arrange the return of repatriated items. You are responsible for packing and shipping repatriated items. Pack and ship NAGPRA items following, where possible, the instructions of the receiving tribe or lineal descendant.

2. *Shipping*

Ship the objects only if you have a signed disposition document (transfer of property, exchange agreement, repatriation agreement, conveyance agreement) from the recipient. It is customary for the receiving party to pay all shipping charges, including insurance, unless otherwise agreed to in writing before shipping. The NPS may pay for shipping repatriated items.

A shipping list is useful to the recipient and the shipping company. Don't put monetary values or historical information on shipping lists. You may use the U.S. postal system for objects that are sturdy and within the specified size limits. Use certified or registered mail with a return receipt requested. Don't use the postal system for fragile or highly valuable objects.

3. *Receipt for Property*

Use a receipt for property, or equivalent, with all deaccessions that involve the physical receipt of objects.

Send a Receipt for Property (DI-105) to the recipient under separate cover. The recipient signs the receipt and returns the original copy to you.

You may use a memo or electronic mail message in place of a receipt for property to acknowledge receipt of objects. The memo must provide all the information that is on the receipt for property. Place an acid-free copy of the message in the appropriate file.

H. Return to Rightful Owner (See Flow Chart Figure 6.1)

Refer to Sections D-G for processing, documenting, tracking, and packing and shipping deaccessions.

1. *When would I return objects to the rightful owner?*

On rare occasions, a park museum collection may have an object acquired from previous holders who were not the legal owners. In other cases, you may not have legal documentation of NPS title. You may receive a request to return the object to the rightful owner(s).

2. *What are the procedures for returning objects to the rightful owner?*

All requests for the return of museum objects must be in writing. You should consult with the regional/SO curator when you receive a request for return of a museum object. Document all conversations and actions taken, and file this information in the appropriate folder.

The justification to return an object must include a solicitor's written opinion or court order. The regional/SO curator can help you contact the region's solicitor. The superintendent must sign the correspondence conveying the object to the rightful owner.

The receiving party and the superintendent sign a Receipt for Property (DI-105) to document receipt by the rightful owner. Keep the original receipt for property and the original copy of the solicitor's opinion or court order. File them in the relevant deaccession or accession folder.

I. Loss, Theft, Involuntary Destruction, Voluntary Destruction/ Abandonment (See Flow Chart Figure 6.2)

Refer to Sections D-F for processing, documenting and tracking deaccessions.

1. *What is loss, theft, or involuntary destruction?*

A deaccession because of loss, theft or involuntary destruction involves “unintentional loss.” It is not a purposeful deaccession. Objects in this category are:

- stolen and not recovered within 30 days
- consumed or effectively destroyed by fire, flood, or other disaster
- destroyed by biological or chemical factors
- missing and cannot be located within 30 days after a thorough search

Thoroughly review deaccessions in this category and make changes in collection management practices to prevent similar future occurrences.

2. *What is voluntary destruction or abandonment?*

A deaccession involving voluntary destruction or abandonment is an intentional deaccession. Objects in this category are:

- hazardous materials (refer to *MH-I*, Chapter 11, Curatorial Health and Safety and *Loss Control Management Guideline*), or
- involuntarily damaged beyond all treatment and determined to have no scientific, cultural, historic, educational, esthetic, or monetary value

Note: See Section L for information on voluntary destruction/abandonment for objects outside the park's SOCS.

3. *What should I do when I discover a loss?*

Follow the actions outlined in Section III of Chapter 4 in this handbook. A local NPS law enforcement officer will prepare a Case Incident Record (Form 10-343) or equivalent. You must submit a Report of Survey (DI-103) to the superintendent if the object is not found within 30 days.

The report of survey must include:

- a copy of the case incident record or equivalent
- any subsequent reports of investigation
- a photocopy of the catalog record that includes a description of the object
- a photograph of the object, if available

4. *Where can I find Board of Survey Procedures?* Follow the Report of Survey procedures found in:
- 410 DM, Personal Property Management Regulations
 - *Personal Property Management Handbook No. 44*, Section 8
5. *Can the Board of Survey disapprove a deaccession?* Yes. If the superintendent or the Board of Survey disapproves the Report of Survey, the deaccession action stops. The deaccession documentation remains in the accession file or deaccession proposal file as a permanent record. Disapproval may be due to:
- insufficient verification of loss
 - inadequate search
 - disagreement as to the degree of damage
- You may propose the same objects for deaccession at a later date if you give enough justification.
- Note:** The superintendent cannot overturn the findings of a Board of Survey. However, in the case of voluntary destruction/abandonment, the superintendent may decide not to send the action to the Board of Survey. The objects then remain in the collection.
6. *What do I do with approved Board of Survey actions?* You will receive a copy of all reports, findings and recommendations from the Board of Survey. File this documentation in the appropriate accession or deaccession folder and proceed with the deaccession.
7. *What if an object is recovered after being deaccessioned?* Follow these procedures if a stolen or lost object is later returned to the park's possession:
- Document the circumstances of the recovery in the accession and/or deaccession folders.
 - Update all pertinent museum documentation as described in Section I.8 below.
8. *How do I update the museum records for recovered objects?* You are responsible for updating museum records when an object is recovered.

Deaccession Documents

- If you recover all the objects in the deaccession, mark the deaccession form and the Report of Survey "Void." Have the superintendent sign and date these documents next to the "Void." In ANCS+, enter "VOID" in the Notes field in the Deaccessions associated module.
- If only some of the objects were recovered, note which objects were recovered on the list of objects. Don't void the deaccession form or the Report of Survey. In ANCS+, note which objects were recovered in the Notes field in the Deaccessions associated module.

- Note the recovery in the remarks column of the deaccession book, if the park is using one. In ANCS+, note the recovery in the Notes field in the Deaccessions associated module.

Accession Documents

- Note the recovery in the remarks column of the accession book. Note the recovery on the list of objects attached to the accession receiving report.

Catalog Records

- Remove “Deaccessioned” from the Location field on the catalog record.
- Update the Object Status and Status Year fields on the catalog record.
- Add a note about the deaccession and return in the Description field on the catalog record.
- Enter the deaccession number in the Other Numbers field on the catalog record.
- Send electronic copies of the updated catalog records to the National Catalog along with the annual submission.

Other Documentation

- Note the recovery on any other pertinent documentation, such as the catalog number log book.

9. ***When can I use voluntary destruction or abandonment to deaccession an object?***

In extremely rare instances, you may request the voluntary destruction or abandonment of an object. Use the Report of Survey procedures described in this section. The object must be one of the following:

- a hazardous material, *or*
- involuntarily damaged beyond all treatment and determined to have no scientific, cultural, historic, educational, esthetic or monetary value

Note: Generally, worn out reproductions and objects consumed through approved consumptive use fall under this category.

10. ***Does the collections advisory committee review deaccessions that involve voluntary destruction or abandonment?***

Yes. The collections advisory committee members (see Section D.4-D.6) must review deaccessions that involve voluntary destruction or abandonment. The superintendent must attest to the destruction or abandonment in a memorandum. The memo must have:

- the date, place, and method of destruction or abandonment
- the catalog number(s) of the object(s) that were destroyed or abandoned

Follow Board of Survey procedures (see Section I.4) for witnessing and documenting destruction and abandonment.

11. ***Are there special procedures for***

Yes. The safety officer must be involved in all deaccessions involving hazardous materials. Refer to *MH-I*, Chapter 11, Curatorial Health and

deaccessioning hazardous materials?

Safety and Loss Control Management Guideline.

<i>If . .</i>	<i>Then . .</i>
hazardous materials are an immediate threat	you can destroy or dispose of them immediately without committee review
hazardous materials are not an immediate threat	follow regular procedures, including committee review

12. *Are there special procedures for deaccessioning by abandonment?*

Yes. Abandonment consists of relinquishing title to and possession of an object without vesting it in another institution or person. When the NPS abandons an object it must have no intention of reclaiming it.

Abandonment is a very rare action. The regional director, or other authorized reviewing official who is not directly accountable for the property, must approve abandonment. See 41 CFR-101-45.902-2.

Refer to Section L.10-L.12 for additional information on abandonment.

J. Outside Scope of Collection (See Flow Charts Figures 6.3 and 6.4)

Refer to Sections D-G for processing, documenting, tracking and packing and shipping deaccessions.

1. *What types of objects are outside the park's Scope of Collections Statement (SOCS)?*

Objects in this category are not relevant to the mission and purpose of the park. Carefully consider the park's SOCS before making this determination. You should not deaccession objects that are original to the site and within the SOCS.

You must use extreme caution when deaccessioning objects in this category. The objects must:

- be clearly outside the time, area, and subject limits defined in the SOCS, *or*
- greatly exceed the number of objects of that type needed in the collection for research, interpretation, and exhibition

The park must have a current, approved Scope of Collection Statement to deaccession in this category. Refer to the MH-I, Chapter 2, for information on writing a scope of collection statement.

2. *How can I deaccession objects that are outside my park's SOCS?*
- If objects are outside the park's SOCS, you may deaccession the objects by:
- transfer within the NPS or to other qualified federal agencies, including the Smithsonian Institution (see Sections J.9 and L.2)
 - exchange with other NPS units, other qualified federal agencies, non-federal governmental entities, private institutions or individuals (see Sections J.10 and L.3-L.6)
 - conveyance (donation) to private institutions or non-federal governmental entities, as defined in Section B.3 (see Sections J.11 and L.7)
 - voluntary destruction or abandonment (see Sections L.10-L.12)
3. *Can I deaccession archeology collections as outside the park's SOCS?*
- No. By NPS policy, archeological and natural history collections and associated records acquired as a result of *systematic investigations* within the park boundary:
- cannot be deaccessioned under this category
 - must be maintained intact as part of the park's resources, and therefore cannot be outside the Scope of Collection Statement
- Refer to the *Cultural Resource Management Guideline*, Chapter 9.
- The only exceptions to this policy are NAGPRA-related items, and collections from land that was subsequently deauthorized.
4. *May I deaccession archeological collections that include NAGPRA material?*
- Yes. If appropriate, NAGPRA items may be deaccessioned pursuant to the Native American Graves Protection and Repatriation Act (25 U.S.C. §§ 3001-3013). See the NAGPRA procedures in Section N of this chapter. The deaccession is a NAGPRA deaccession. It's not an outside SOCS deaccession.
5. *May I deaccession archeology collections from land that has been deauthorized?*
- Yes. If park land has been deauthorized, the park may deaccession archeology collections from the deauthorized land to a qualified recipient. The collections must remain in the public trust, and the transaction must be consistent with any applicable guidance in 36 CFR 79 and 36 CFR 2.
- Refer to Appendix A in this handbook for information about deaccessioning objects recovered under the Antiquities Act.
6. *Can I deaccession natural history collections as outside the park's SOCS?*
- No. Natural history specimens in a NPS museum collection in compliance with the Code of Federal Regulations (36 CFR 2.5g) cannot be:
- outside the Scope of Collection Statement
 - deaccessioned in this category
- Refer to Section VI of Chapter 4 in this handbook and the *Cultural Resource Management Guideline*, Chapter 9.
7. *May I deaccession natural history collections from*
- Yes. If park land has been deauthorized, the park may deaccession natural history collections from the deauthorized land to a qualified recipient. The

land that has been deauthorized?

collection must remain in the public trust, and the transaction must be consistent with any applicable requirements in 36 CFR 2.

8. *What do I need to know about title and restriction verifications?*

Before transferring, exchanging, or conveying (donating) objects, you must verify in writing that:

- the park legally owns (has title to) the objects proposed for deaccessioning
- the objects are not subject to ownership (title) or disposition restrictions that may prevent deaccessioning

For example, a restriction may require that objects must permanently remain at the park. In such a case, you must either keep the objects or petition a court of law to have the restriction removed.

Place the written verification in the deaccession package.

9. *What is a transfer?*

A transfer conveys title and control of a museum object from one NPS collection to another federal museum collection. You may transfer objects to other federal agencies that have programs to preserve and interpret cultural or natural heritage. Transfers between parks or other agencies within DOI don't require the review of the collections advisory committee.

Transfers to other federal agencies outside DOI require the review of the collections advisory committee. See Sections D.4-D.6.

10. *What is an exchange?*

In an exchange, the NPS conveys title and control of a museum object to another party. The NPS receives an object owned by the other party in return.

You must accession the objects received in the exchange into the museum collection. You may exchange with:

- another park (however, doing two transfers is simpler)
- another federal agency
- a non-federal governmental entity
- a private institution or an individual.

Exchanges between parks and within DOI don't require the review of the collections advisory committee.

All exchanges outside the DOI require the review of the collections advisory committee. See Sections D.4-D.6.

Note: The NPS requires formal appraisals for exchanges outside the federal government (see Section E.6).

11. *What is a conveyance (donation)?*

A conveyance (donation) transfers title and control of museum objects to private institutions and non-federal governmental entities. The recipient institution must be:

- dedicated to the preservation and interpretation of natural or cultural heritage
- qualified to manage the objects prior to any conveyance (donation)

In addition, private institutions must be exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986.

All conveyances (donations) require the review of the collections advisory committee. See Sections D.4-D.6.

K. Outside SOCS Requirements

You must follow the requirements in this section to deaccession objects that are outside the park's SOCS.

1. *What are the special requirements for deaccessions outside the park's SOCS?*

The special requirements for deaccessioning objects that are outside the park's SOCS include:

- following the order of preference for recipients
- advertising objects throughout the NPS
- using the collections advisory committee to recommend deaccessions outside the DOI and voluntary destruction/abandonment (see Sections D.4-D.6)
- getting formal appraisals for all exchanges outside the DOI (see Section E.6)
- placing a 45-day public notice on the World Wide Web for all exchanges outside the federal government and all conveyances (donations)

2. *What is the order of preference for deaccessioning objects that are outside a park's SOCS?*

You must follow the order of preference below when deaccessioning objects that are outside the park's SOCS.

- transfer to another NPS park or center
- exchange with qualified federal agencies
- transfer to qualified federal agencies
- exchange with private institutions or non-federal governmental entities that meet the criteria of Section J.11
- conveyance (donation) to private institutions or non-federal governmental entities that meet the criteria of J.11
- exchange with individuals or entities other than those listed above

- voluntary destruction or abandonment

The exchange of objects with private individuals and non-educational or non-cultural institutions is not recommended. According to NPS procedures and generally accepted museum practice, such exchanges should occur only if the exchange is explicitly justified in writing and no other alternatives are available.

3. *Why is there an order of preference for deaccessions?*

The order of preference is based on:

- maintaining federal government interest
- keeping the collections in the public trust
- protecting NPS interest (or “investment”)

4. *What if there is more than one potential recipient?*

If more than one recipient is available, choose the option that offers the greatest:

- benefit to the park and the NPS
- ability to care for the objects
- ability to preserve the objects in the public sector
- likelihood for public benefit, such as research and exhibit
- consistency with the mission and scope of collections of the recipient

5. *How do I evaluate a potential recipient’s qualifications?*

You may have to evaluate a potential recipient’s qualifications to receive and properly care for museum collections. To demonstrate their qualifications, potential recipients may provide:

- 501(c)3 tax exempt determination (see Section B.3)
- American Association of Museums (AAM) accreditation
- mission statement demonstrating dedication to natural or cultural preservation and interpretation
- Museum Assessment Program (MAP) or Conservation Assessment Program (CAP) survey
- facility report demonstrating preservation and protection capability

6. *Can a park ever deaccession objects out of the order of preference?*

Yes. With written justification, the superintendent can deaccession objects out of the order of preference. The reason for this action must be well justified.

7. *How do I determine whether other parks need the objects?*

You should not transfer, exchange or convey (donate) objects outside the NPS, or voluntarily destroy objects, if the objects are appropriate to and needed by other parks in the system.

You must determine whether you can transfer or exchange objects proposed for deaccessioning within the Service. Consult with:

- the regional/SO curator
- other parks
- the NPS Clearinghouse, Museum Management Program, National Center for Cultural Resources (see Section O of this chapter)
- the Harpers Ferry Center Department of Historic Furnishings, if appropriate

Contact any interested parks or advertise the objects throughout the Service. It is sufficient to advertise on the Curatorial Bulletin Board in cc:Mail or in the *Clearinghouse Classifieds* newsletter.

Allow at least thirty days from the date of publication for parks to respond to the advertisement. Document all responses. Include documentation in the deaccession package to show that:

- you have circulated the information about the objects throughout the Service
- no park wants the objects (or why the park denied NPS requests for the objects)

8. *When must I publicly advertise a deaccession?*

The park must publish a public notice of intent to deaccession objects to an intended recipient before:

- exchanging objects outside the federal government
- conveying (donating) objects

9. *Where must I place the public notice?*

The park must publish the notice in the Clearinghouse listing on the NPS Museum Management Program World Wide Web site. Refer to Section O for submission procedures.

Note: If you advertised on the World Wide Web for non-NPS recipients, this will be the second time you advertise on the Web.

The NPS will use the AAM newsletter *Aviso* and the American Association for State and Local History (AASLH) newsletter *History News* to publicize the World Wide Web posting. The park must allow at least forty-five days from the date of publication for institutions to register a request or protest.

10. *What must I include in the public notice?*

The notice must include:

- the intent to convey (donate) or exchange objects
- the intended recipient
- a list of the objects that includes the park name, object name, brief

description, material, artist/maker, date, and catalog number

- information on how to contact the park, such as a person to contact and phone number

11. *What happens after the notice has been on the WWW for forty-five days?*

<i>If. . .</i>	<i>Then. . .</i>
the park receives no requests or protests over the deaccession within 45 days of publication,	the superintendent signs the deaccession form and the exchange agreement or conveyance (donation) agreement and deaccessions the objects.
the published notice produces requests or protests from other institutions or individuals,	the superintendent consults the collections advisory committee, as appropriate, and determines the recipient.

The superintendent determines the recipient based on the recipient's superior ability to preserve and protect the objects and make them available to the public. The superintendent may request evidence to this effect from the potential recipients (see Section K.5).

L. Outside SOCS Procedures

1. *How do I find non-NPS recipients?*

If other parks don't need the objects, explore the other dispositions in the order of preference in Section K.2. Use all reasonably available means to contact institutions that may be in a position to make an exchange.

To locate potential non-NPS recipients, the park may advertise in whatever way it can best reach potentially interested parties, including:

- the Clearinghouse listing on the NPS Museum Management Program World Wide Web site (see Section O for submission procedures)
- the AAM newsletter *Aviso* or other professional newsletters (the park must pay the costs of advertising)
- regional or local publications or listings, if appropriate

The notice should include:

- the intent to deaccession objects
- a list of the objects
- information on how to contact the park, such as a person to contact and phone number

Allow at least forty-five days from the date of publication for response. A longer period of time may be needed for complex transactions. The park and the potential recipient can negotiate for additional time.

Note: You will have to advertise a second time on the World Wide Web if

you find a recipient and intend to exchange objects outside the federal government or convey (donate) objects. See Sections K.8-K.11.

2. *How do I document a transfer?*

Use a Transfer of Property, DI-104 (Figure 6.10) to legally document a transfer. ANCS+ will print a completed transfer. Include a statement on the transfer to verify that the NPS owns the objects. The statement should note that there are no ownership or disposition restrictions on the objects.

Example of a title verification statement: The NPS certifies that it holds free and clear title to the subject property. The NPS may dispose of the property in any manner that it determines is appropriate and lawful.

For transfers within the NPS, the superintendents of both parks must sign the transfer. For transfers to other DOI bureaus or federal agencies, the park superintendent and the appropriate bureau or agency accountable officer must sign the transfer.

Keep the original documentation and give the recipient archival quality copies of the pertinent accession and catalog documentation. Give non-NPS recipients copies of only the documentation essential to future management of the object.

3. *What are some special considerations for exchanges?*

Before conducting an exchange, you must make sure that:

- the exchange is fair, justified, and in the public interest
- every effort has been made to keep museum objects in the public sector
- the objects received from the exchange fit the SOCS and are of a quality appropriate for the NPS museum collections
- there is a need for the objects received from the exchange and the park can adequately care for them

Consult the regional/SO curator before exchanging natural history specimens. Don't exchange type or voucher specimens.

4. *Can an exchange be unequal in monetary value?*

Yes. Objects in an exchange should be approximately equal in monetary value. However, it is sometimes appropriate to exchange NPS objects for objects of lesser monetary value. This situation might occur when the NPS has a great need for the objects and has been unable to get them elsewhere. You must fully describe such circumstances in the justification. Exchanging NPS objects for objects of greater value is also acceptable.

You must get formal, written appraisals for exchanges outside the federal government. You must get appraisals for both the objects you deaccession and the objects you acquire through an exchange. Get a minimum of one appraisal for objects below \$20,000 in value. Get two appraisals for objects over \$20,000 in value. See Section E.6.

5. *How do I document an exchange?*

You must document an exchange with a written legal agreement. You can print an exchange agreement from ANCS+. The superintendent and the bureau or agency accountable officer or owner sign the exchange agreement. See Figure

6.11 for a sample exchange agreement. You may create your own exchange agreement, but it must include the introduction and sections 1-9 of the sample exchange agreement.

6. *What documents do I attach to the exchange agreement?*

Attach these documents to the exchange agreement:

- a list of the non-NPS objects to be acquired
- a list of the NPS objects to be exchanged
- the required appraisals for exchanges outside the federal government (see Section E.6)
- a written and signed proof of ownership statement from the other party

Include a justification to show why the exchange is in the best interest of the NPS and the general public. Include a statement on the exchange agreement to verify that the NPS owns the objects and that there are no ownership or disposition restrictions on the objects. (See example statement in Section L.2.) Make every effort to acquire the copyrights for the materials you acquire in an exchange, especially if they are held by the current property owner. Document any and all restrictions clearly and spell out when such restrictions expire.

Refer to Chapter 2 in this handbook and the NPS *Museum Handbook*, Part III (*MH-III*), Chapter 2, Legal Issues, for information on copyrights.

Keep the original documentation and give the recipient archival quality copies of the pertinent accession and catalog documentation. Give non-NPS recipients copies of only the documentation essential to future management of the object.

7. *When do I post a World Wide Web notice of intent to exchange?*

If you are doing an exchange outside the federal government, you must post a 45-day notice of intent to exchange on the World Wide Web. Post the notice when you have found a recipient. Refer to Sections K.8-K.11 and Section O for additional information about the notice.

8. *How do I document a conveyance (donation)?*

Use a Conveyance (Donation) Agreement, Form 10-99 (Figure 6.13) to legally document the conveyance (donation) of museum objects to a private institution or non-federal governmental entity. You can print a completed conveyance (donation) agreement from ANCS+.

The superintendent signs for the park. The responsible official signs for the institution.

Keep the original documentation and give the recipient archival quality copies of the pertinent accession and catalog documentation. Give the institution copies of only the documentation essential to future management of the object.

9. *When do I post a World Wide Web notice of intent to convey (donate)?*

All conveyances (donations) require a 45-day notice on the World Wide Web. Post the notice when you have found a recipient. Refer to Sections K.8-K.11 and Section O for additional information about the notice.

10. *When can I use voluntary destruction or abandonment to deaccession museum objects?*

Before destroying or abandoning museum objects you must determine that they have no scientific, cultural, historic, educational, esthetic, or monetary value.

Generally, if you can't deaccession the objects through any other way, you can propose destruction or abandonment. The justification for this type of deaccession must include the steps you took to determine that the objects have

no value.

The NPS may not destroy or abandon objects that are outside a park's Scope of Collection Statement unless all other disposition methods have failed.

The collections advisory committee members must review all actions to destroy or abandon museum objects. The superintendent must approve and request destruction. In accordance with 41 CFR-101-45.902-2, the regional director, or other authorized reviewing official who is not directly accountable for the property, must approve abandonment.

11. *What are some special considerations for voluntary destruction or abandonment?*

Abandonment is a very rare action. Abandon objects only when destruction is not feasible. For example, a large piece of badly rusted mining equipment may be too large to move.

If the park abandons museum objects, the superintendent should take some type of mitigating action. For example, the park could place an explanatory sign by abandoned property. Such actions will counter potential public perception that the park is not properly caring for its resources.

As part of the destruction process, objects may be reduced to scrap, destroyed, or cannibalized and the remainder destroyed. Cannibalized parts are designated expendable personal property. They may be used for park maintenance providing that the use has no scientific, cultural, historical, educational, interpretive or esthetic purpose. For example, nuts and bolts may be cannibalized from a disintegrated wooden crate that has been approved for destruction. The park maintenance division may reuse the nuts and bolts. The wooden scraps are burned.

The superintendent, considering the recommendations of the collections advisory committee, may request a particular destruction process. The Board of Survey must recommend the process.

12. *How do I document voluntary destruction or abandonment?*

Follow the Board of Survey procedures in Section I of this chapter and the Personal Property Handbook No. 44.

Note: Section I of this chapter has information on voluntary destruction/abandonment for objects within the park's SOCS. This is a different type of deaccession from voluntary destruction/abandonment of objects outside the park's SOCS. The Board of Survey procedures for both types of deaccession are the same.

M. Destructive Analysis

Refer to Sections D-F for processing, documenting, and tracking deaccessions.

1. *When do I deaccession objects under the destructive analysis category?*

Deaccession objects in this category only when the entire object is destroyed in analysis.

2. *Who approves destructive analysis?*

The superintendent may approve destructive analysis for research purposes for cultural resource collections when the object is common. The superintendent may approve destructive analysis for research purposes for natural resource collections when:

- the request is based on a professional research design that clearly documents the scientific need for the use of destructive analysis
- the specimen doesn't represent an extinct species or a type or voucher specimen

The regional director must approve all requests for destructive analysis that involve rare or significant objects, specimens, and archival items. The regional/SO curator should review such requests and arrange for review by appropriate discipline specialists.

3. *How do I document destructive analysis?*

Follow the Board of Survey procedures in Section I of this chapter and the *Personal Property Management Handbook No. 44*.

4. *Where can I find information on destructive analysis?*

For guidelines on destructive analysis, refer to:

- Section V of Chapter 4 in this handbook
- *Cultural Resource Management Guideline*, Chapter 9

N. Native American Graves Protection and Repatriation Act (See Flow Chart Figure 6.5)

Refer to Sections D-G for processing, documenting, tracking, and packing and shipping deaccessions.

The NPS may deaccession museum collections in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 [25 U.S.C. §§ 3001-3013].

1. *What types of items are subject to NAGPRA?*

Lineal descendants, Indian tribes, Native Hawaiian organizations and Alaska Native villages and corporations may request the repatriation of certain:

- human remains
- associated funerary objects
- unassociated funerary objects
- sacred objects

- objects of cultural patrimony

To determine which items are eligible for deaccessioning by repatriation, refer to:

- definitions of NAGPRA categories outlined in the statute (items *must* fit the definitions to be considered for repatriation)
- *Cultural Resource Management Guideline*, Appendix R: NAGPRA Compliance

2. *Who can request repatriation?*

The request for repatriation must be from a lineal descendant or an official representative of an Indian tribe, Native Hawaiian organization or Alaska Native village or corporation. You must receive this request in writing or document it in writing.

3. *How do I respond to requests for summary items?*

Summaries are written descriptions of collections that may have unassociated funerary objects, sacred objects, or objects of cultural patrimony. Parks prepared summaries in compliance with NAGPRA. The NPS sent summaries to tribes, Native Hawaiian organizations, and Alaska Native villages and corporations in 1993.

Requests for summary items must include evidence supporting the claim.

On receiving a request for repatriation, you should notify and consult with the regional/SO curator. See Section N.5. Give the regional/SO curator the available documentation that includes:

- a copy of the request for repatriation
- copies of accession and catalog records
- completed affiliation data that:
 - identifies and supports the claim of the lineal descendant, Indian tribe, Native Hawaiian organization, or Alaska Native village or corporation with whom the items are culturally affiliated
 - includes information on how the cultural affiliation was determined
 - includes a list of consultations conducted with relevant Indian tribes, Native Hawaiian organizations or Alaska Native villages or corporations

4. *How do I respond to requests for inventory items?*

Inventories are item-by-item descriptions of human remains and associated funerary objects. The NPS completed inventories of human remains and associated funerary objects by November 16, 1995.

When you receive a repatriation request for an inventory item from the culturally affiliated tribe(s), you should notify the regional/SO curator.

Prepare the deaccession package as noted in Section N.6. For inventory items:

- the regional/SO staff have already recommended a cultural affiliation

- the superintendent has already approved cultural affiliation
5. *Who does the regional/SO curator consult about repatriations?*
- The regional/SO curator should consult with the regional/SO archeologist, ethnographer, NAGPRA coordinator, or NAGPRA committee. These staff make recommendations concerning the repatriation. Record their recommendations in the Notes field of the ANCS+ Deaccessions associated module.
6. *What do I include in the deaccession package?*
- You prepare the deaccession package. In addition to the documentation listed in Section E.3, the package must contain:

- the request for repatriation or documentation of the request
- completed cultural affiliation data as described in Section N.3
- a repatriation agreement or equivalent (see optional sample, Figure 6:12)
- the regional/SO recommendation, as appropriate

Make a recommendation to approve or disapprove the repatriation request. You can print a repatriation agreement from ANCS+. You then forward the deaccession package to the superintendent.

Note: You can't recommend against repatriating inventory items.

7. *What does the superintendent do with the deaccession package?*

The superintendent must:

- review the park and regional/SO recommendations, as appropriate
- approve or disapprove the repatriation of summary items (the superintendent can approve all or selected items for repatriation)
- approve repatriation of inventory items
- prepare a written response to the requester

By including items in the NAGPRA inventory, the superintendent has approved repatriation of those items to the culturally affiliated tribes. The superintendent can't disapprove repatriation of items listed in the NAGPRA inventory.

8. *What happens to disapproved requests?*

The superintendent may disapprove the repatriation on the grounds that:

- the items do not fit NAGPRA definitions
- the individual or group making the claim doesn't have standing to make such a claim (is not on the list of recognized tribes maintained by the National NAGPRA Program for the purposes of implementing NAGPRA)
- no relationship of shared group identity can be traced between the present-day Indian tribe and the affiliated cultural group associated with the item
- there is insufficient documentation to support the claim

The superintendent must notify the requester of this decision in writing. See Section F.1 on filing disapproved deaccessions. The individual or tribe can appeal decisions to the NAGPRA Review Committee. Refer to the *Cultural Resource Management Guideline*, Appendix R: NAGPRA Compliance.

Note: A Web-based database provides NAGPRA contacts for the federally recognized tribes. The Bureau of Indian Affairs web site at <http://www.cr.doi.gov/bia/tribes/entry.html> provides access to the database.

9. *What happens to approved requests?*

The superintendent may approve the repatriation but must inform the requester of the 30-day Federal Register notice requirement. See Section N.10. All approved repatriations must identify the federally recognized tribe in the Affiliated Tribes field of the ANCS+ NAGPRA supplemental record.

After the 30-day Federal Register notice and the resolution of any claim disputes:

- the superintendent signs the deaccession form and repatriation agreement
- the recipient(s) signs the repatriation agreement and receives the repatriated items

10. *What is the Federal Register notice?*

The Federal Register notice is a NAGPRA requirement.

Repatriation cannot take place until at least thirty days after a notice of intent to repatriate has been published in the Federal Register.

If the superintendent approves the request for repatriation, he or she sends:

- a notice regarding the proposed repatriation of museum items to the Manager, Archeology and Ethnography Program, National Center for Cultural Resources, for publication in the Federal Register

To make sure that no counter claims have been received, contact the regional/SO curator or NPS NAGPRA coordinator.

<i>If . . .</i>	<i>Then . . .</i>
no additional claims are received within 30 days of publication,	the park repatriates the items.
the published notice produces additional claims,	the claimants settle the dispute, and the park repatriates the items.
the claimants don't settle the dispute,	the NAGPRA Review Committee reviews and resolves the dispute.
	Repatriation cannot occur until the committee resolves the dispute.

All the NAGPRA notices of repatriation published in the Federal Register and inventory completion appear on the web at <http://www.cr.nps.gov/nagpra/>.

Note: The NAGPRA Review Committee is a statutorily established panel of seven private citizens. The committee is charged with facilitating the resolution of NAGPRA-related disputes nationwide.

11. *Are there time limits for responding to a repatriation request?*

Yes. The requested repatriation is to take place within 90 days of the initial request if:

- the objects meet the NAGPRA definitions (refer to the NPS NAGPRA consultation guidelines in the *Cultural Resource Management Guideline*, Appendix R: NAGPRA Compliance), *and*
- appropriate supporting documentation is available, *and*
- the proposed repatriation is approved

12. *What documentation should I give to the recipient?*

Keep the original documentation and give the recipient archival quality copies of the pertinent accession and catalog documentation.

Send a copy of the deaccession form or repatriation agreement to the central NAGPRA file maintained by the Museum Management Program, National Center for Cultural Resources. This copy is for informational purposes only. Send it to Museum Management Program, National Park Service, 1849 C Street, NW, Room NC230, Washington, DC 20240, Attn: Chief Curator.

O. NPS Clearinghouse Services

1. Can the NPS Clearinghouse help parks with deaccessions?

Yes. The NPS Clearinghouse, administered by the Museum Management Program, National Center for Cultural Resources, can help parks with deaccessions by:

- giving advice on deaccession procedures and assistance in preparing deaccession transactions
- helping you to locate potential recipients for museum objects that are outside your park's Scope of Collection Statement
- advertising objects throughout the NPS and to non-NPS institutions
- giving advice on appraisals and lists of appraisers

2. *How does the NPS Clearinghouse advertise objects for deaccession?*

The NPS Clearinghouse uses various means to advertise objects outside a park's Scope of Collection Statement. These include the *Clearinghouse Classifieds* newsletter and a World Wide Web listing.

By advertising through the Clearinghouse, you can determine whether objects are needed by other parks before deaccessioning them outside the NPS. The Clearinghouse newsletter also allows you to advertise to many non-NPS subscribers.

Use the Clearinghouse World Wide Web listing to advertise for non-NPS recipients. See Section L.1. You must use this listing to advertise your intent to exchange or convey (donate) outside the federal government. See Sections K.8-K.11.

Note: The NPS Clearinghouse doesn't accept physical custody of museum objects.

3. *How do I send information to the Clearinghouse newsletter?*

Send information to the NPS Clearinghouse newsletter (*Clearinghouse Classifieds*) to advertise for NPS and non-NPS recipients.

Send information to: NPS Clearinghouse
Bombshelter, Filmore Street
Harpers Ferry, WV 25425
Phone: 304-535-6204
Fax: 304-535-6203

Send electronic copy to: WASO National Catalog Office

The *Clearinghouse Classifieds* is published twice a year. Advertisements are free.

4. *May I post information about potential deaccessions on the Curatorial Bulletin Board?*

Yes. You may post information directly on the Curatorial Bulletin Board in cc:Mail to advertise for NPS recipients.

5. *How do I publish notices on the Clearinghouse World Wide Web listing?*

Send electronic submissions in an attached file, using the current NPS software, via cc:Mail to "Clearinghouse-WWW". Refer to the appropriate sections below for what to include in the notice. The NPS Museum Management Program World Wide Web site is at <<http://www.cr.nps.gov/csd/>>.

For publishing notices to advertise for NPS recipients, see Section L.1.

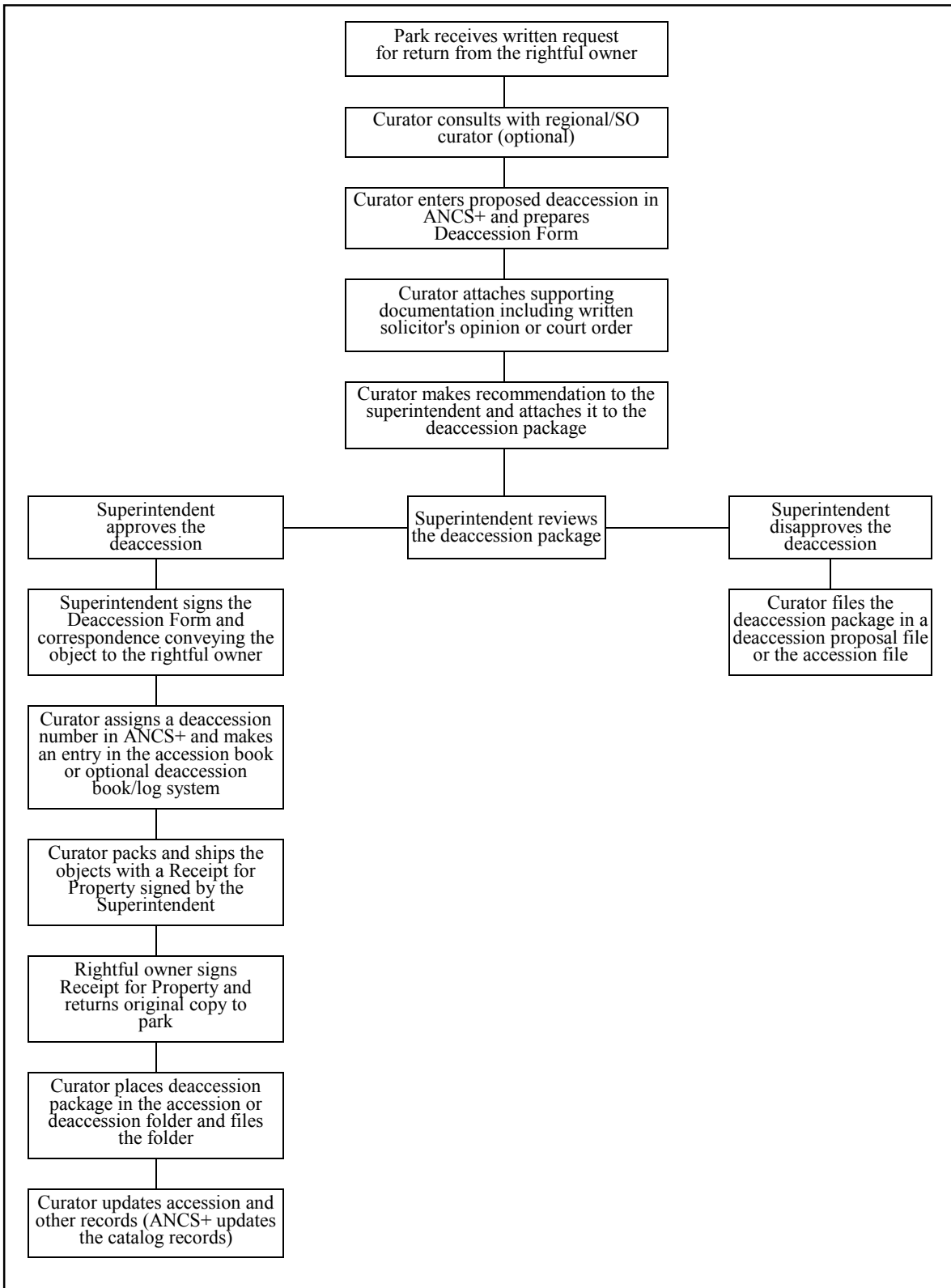
For publishing a notice of intent to deaccession objects by conveyance (donation) or exchange outside the federal government, see Sections K.8-K.11.

P. List of Figures

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+ Print these forms from ANCS+.

* You must use the Deaccession Form (Form 10-643) for all deaccessions. You must use the Transfer of Property (DI-104) for all transfers between federal entities. You must use the Conveyance (Donation) Agreement (Form 10-99) for all conveyances (donations).



**Figure 6.1. Flow Chart for Deaccessioning:
Return to Rightful Owner**

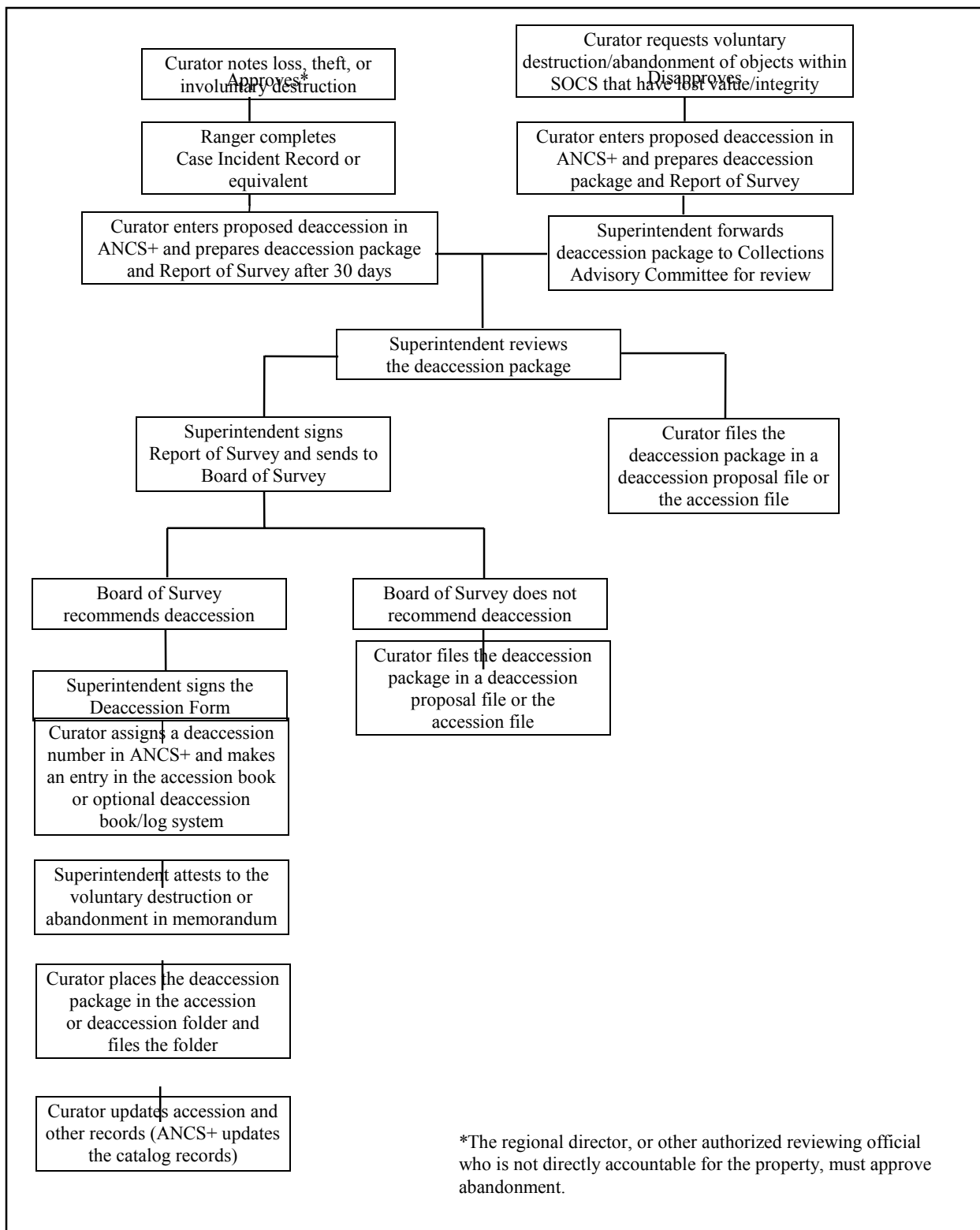


Figure 6.2. Flow Chart for Deaccessioning: Loss, Theft, Involuntary Destruction, and Voluntary Destruction/Abandonment

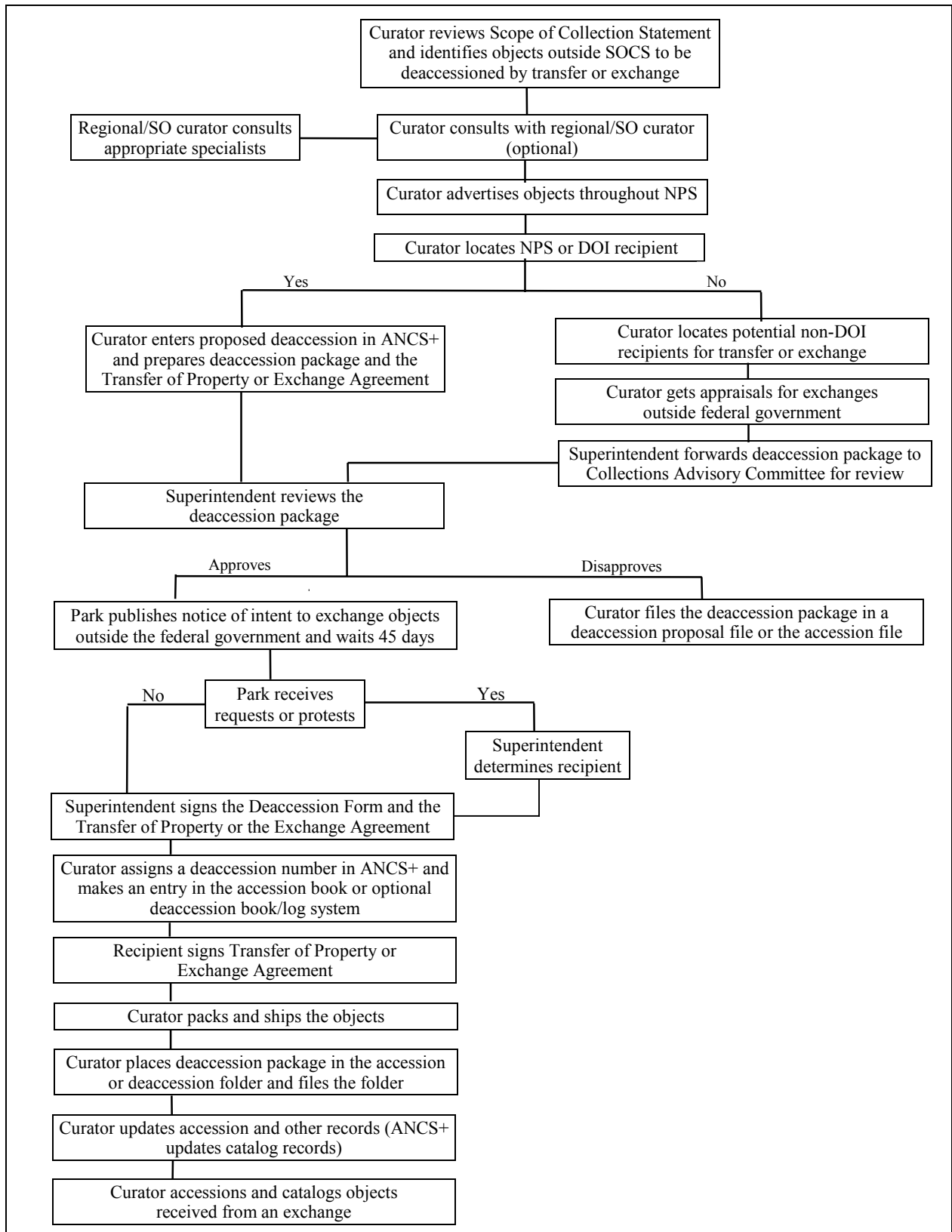


Figure 6.3. Flow Chart for Deaccessioning: Outside Scope of Collection Statement Transfer and Exchange

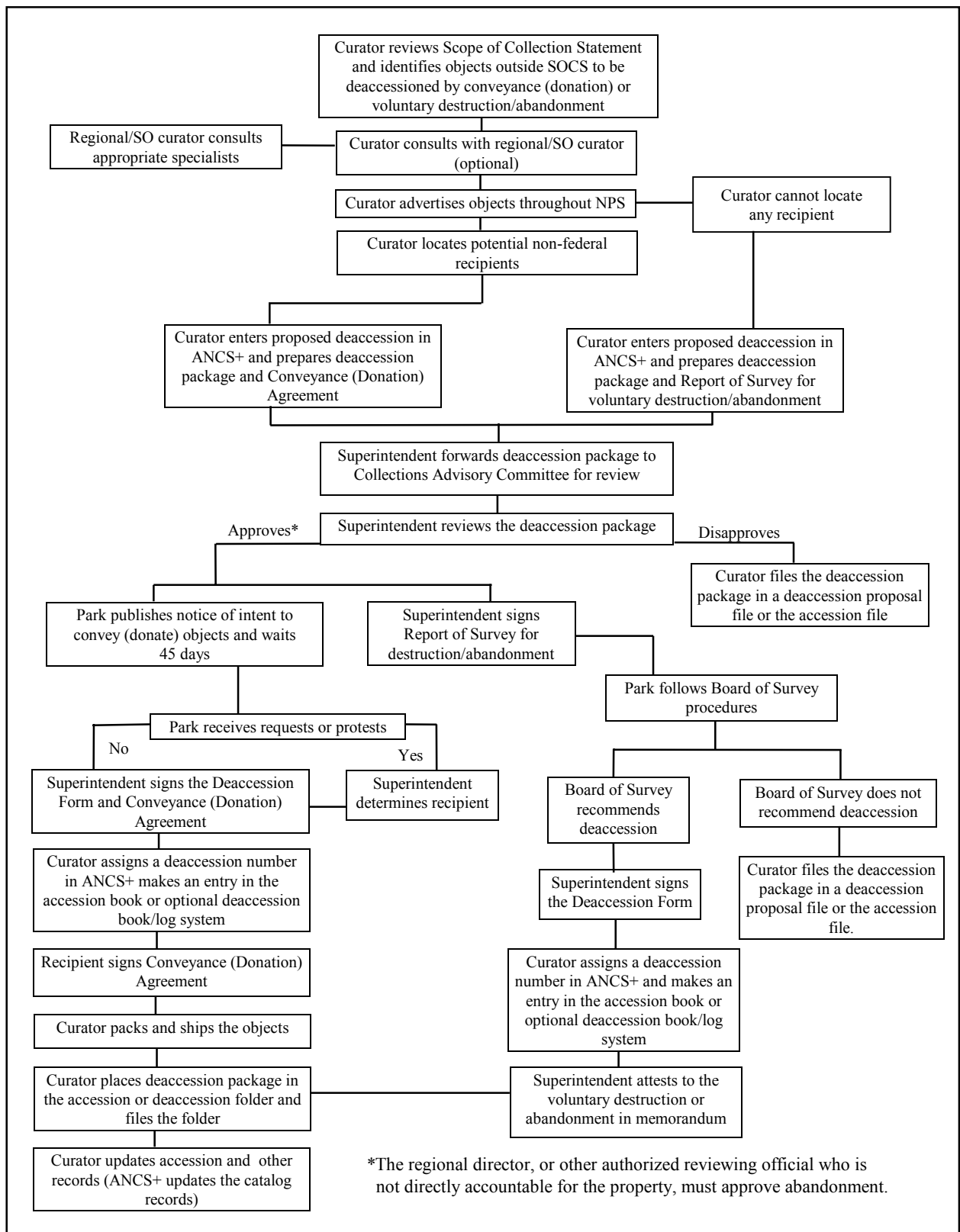
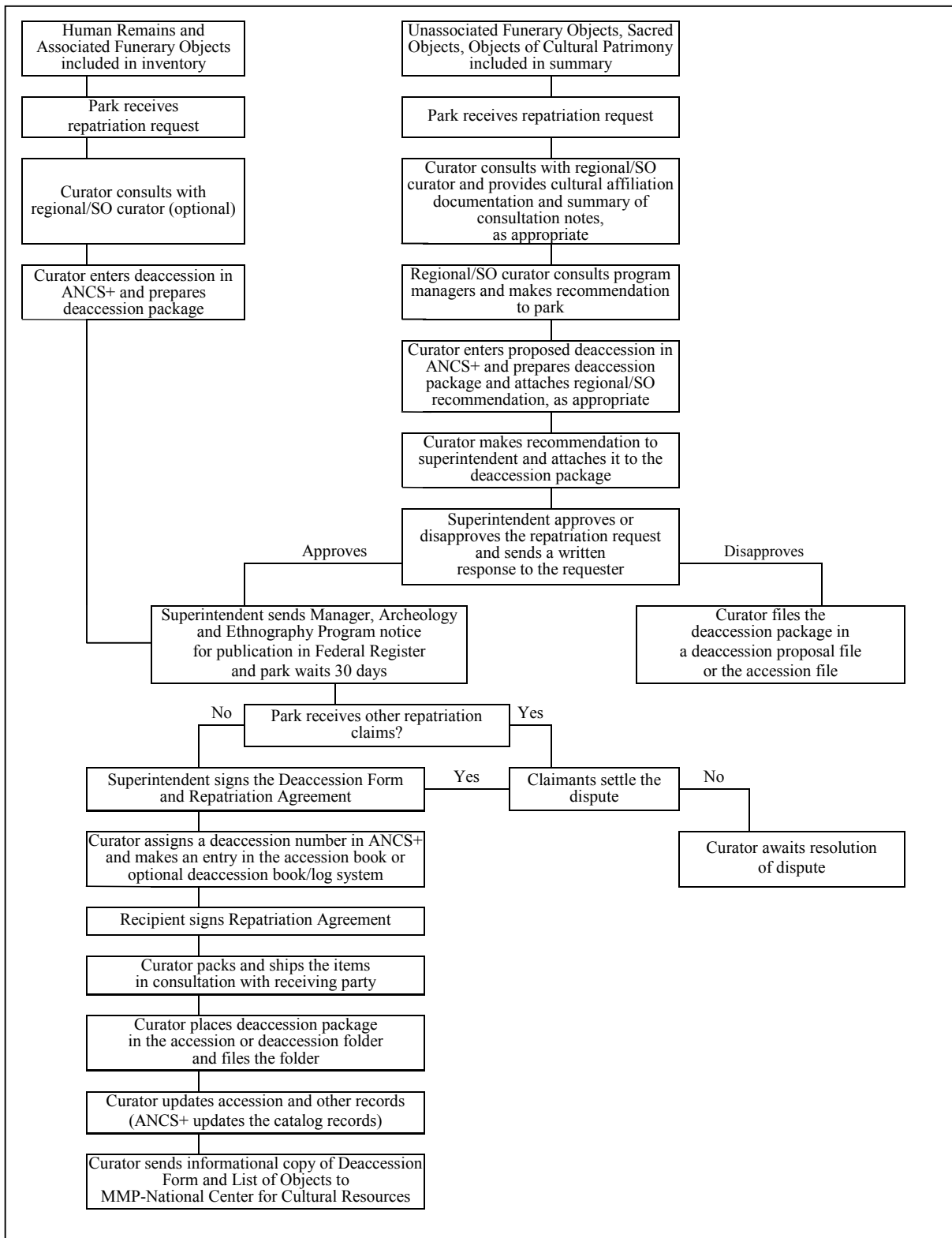


Figure 6.4. Flow Chart for Deaccessioning: Outside Scope of Collection Statement Conveyance (Donation) and Voluntary Destruction/Abandonment



**Figure 6.5. Flow Chart for Deaccessioning:
Native American Graves Protection and Repatriation Act**

Deaccession Form

Deaccession Number _____

Park Name _____

DEACCESSION TYPE: _____

DISPOSITION OF OBJECTS OUTSIDE SOC: _____

OBJECTS IN DEACCESSION:

Number of Objects: _____

Value _____

(Attach List of Objects, or for a few objects, list required information here)

DISPOSITION DOCUMENT (attached): _____

ATTACHMENTS: _____

NOTES ON DEACCESSION: _____

CURATORIAL REVIEW AND RECOMMENDATION:

Deaccession Recommended: (if no, attach explanation)

Disposition Recommended: (if no, attach explanation)

Curator: _____

Print Name

Signature

Date

COLLECTIONS ADVISORY COMMITTEE MEMBER REVIEW AND RECOMMENDATION

- See attached Collections Advisory Committee Member Review (required for non-DOI transfers, conveyances, non-DOI exchanges, voluntary destruction)

APPROVAL:

Deaccession Approved: (if no, attach explanation)

Disposition Approved: (if no, attach explanation)

Attach explanation if decision is contrary to one or more committee member recommendations. Attach written approval from non-accountable reviewing official for abandonment.

Superintendent: _____

Print Name

Signature

Date

Figure 6.6. Deaccession Form (Form 10-643)

Figure 6.7. List of Objects (Form 10-417) [Optional]

US Department of the Interior
National Park Service

Page ____ of ____

LIST OF OBJECTS

Park Acronym _____ Number _____

CATALOG NUMBER	ACCESSION NUMBER	ITEM COUNT OR QUANTITY	OBJECT NAME	DESCRIPTION AND CONDITION	VALUE	COMMENT

NPS Form 10-417
July 1995

Figure 6.8. Deaccession Folder Cover Sheet (Form 10-644) [Optional]

Deaccession Number _____ Park Name _____

DEACCESSION FOLDER COVER SHEET

INSTRUCTIONS: This Deaccession Folder cover sheet may be used whenever a park deaccessions museum collections. Insert this in the deaccession folder.

<p>A. DEACCESSION INFORMATION IN FOLDER</p> <ul style="list-style-type: none"> <input type="checkbox"/> Deaccession Form <input type="checkbox"/> List of Objects <input type="checkbox"/> Justifications <input type="checkbox"/> Collections Advisory Committee Member Comments <input type="checkbox"/> Superintendent Comments <input type="checkbox"/> Support Office Curator Comments <input type="checkbox"/> Regional Director Comments 	<p>B. DEACCESSION TYPE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Return to Rightful Owner <input type="checkbox"/> Loss, Theft, or Involuntary Destruction <input type="checkbox"/> Voluntary Destruction/Abandonment <input type="checkbox"/> Outside Scope of Collection <input type="checkbox"/> Destructive Analysis <input type="checkbox"/> NAGPRA Compliance <p>C. DISPOSITION DOCUMENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Receipt for Property <input type="checkbox"/> Report of Survey <input type="checkbox"/> Witness Statement for Voluntary Destruction/Abandonment <input type="checkbox"/> Exchange Agreement <input type="checkbox"/> Transfer of Property <input type="checkbox"/> Memorandum (for Destructive Analysis) <input type="checkbox"/> Repatriation Agreement <input type="checkbox"/> Conveyance Agreement
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

INDICATE LOCATION OF THE FOLLOWING:

	Accession Folder	Catalog Folder	Deaccession Folder
1. Correspondence relating to deaccession.....			
2. Case Incident Record			
3. Research Notes			
4. Appraisals			
5. Photographs.....			
6. Shipping Documents.....			
7. Documentation of abandonment or destruction.....			
8. NAGPRA Consultation Notes			
9. NAGPRA Cultural Affiliation Documentation			
10. Solicitor's Opinion/Court Order			
11. Other			

NPS Form 10-644 Rev.
February 1998

DI-104
(Rev. 6/88)

UNITED STATES DEPARTMENT OF THE INTERIOR TRANSFER OF PROPERTY		Page ____ of ____		
		Report No.		
		Date		
Transfer From: (Organization and Complete Address)		Transfer To: (Organization and Complete Address)		
Appropriation and Accounting Data:				
ITEM NO.	QUANTITY OR PROPERTY ID NO.	ITEM DESCRIPTION <i>(Include model & serial number)</i>	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE

SHIPPING AND RECEIVING INFORMATION			
Date Shipped:		Date Received:	
Authorized Signature:		Authorized Signature:	
Official Title:		Official Title:	
Adjustment to property records (Property Official Signature):	Date Completed	Financial Official Signature (if Required):	Date Completed

U.S. Government Printing Office 1988 673-017/96039

Figure 6.10. Transfer of Property (DI-104)

Exchange Agreement

In accordance with the authority granted to the Secretary of the Interior by the Museum Act of 1955 (16 USC, Sect. 18 [f]), and in consideration of the mutual promises set forth in this Agreement, the National Park Service and _____ (other party) enter into this agreement for the exchange of museum objects.

1. _____ (NPS Unit) hereby becomes the owner of the objects listed on the first attached inventory (Attachment 1 of this Agreement). _____ (other party) hereby becomes the owner of the objects listed on the second attached inventory (Attachment 2 of this Agreement).
2. _____ (other party) represents and warrants that he/she/they will possess clear title, free of all liens, claims, and encumbrances of any kind, to the objects listed in Attachment 1 at the time the exchange takes place. If at the time the exchange is to occur _____ (other party) is unable to present the objects listed on Attachment 1 and proof of ownership for the said objects he/she/they is/are exchanging, the National Park Service is under no obligation to complete the exchange.
3. _____ (other party) represents and warrants that the objects listed on Attachment 1 were secured in compliance with all applicable International, Federal and State laws. Documentation evidencing the source of acquisition of the objects listed on Attachment 1 will be attached to this Agreement at the time the exchange takes place (Attachment 3).
4. _____ (other party) represents and warrants that the objects listed in Attachment 1 have been authenticated and appraised in writing, at market value, by at least one objective appraiser within six months previous to the date of this agreement. Copies of the appraisals for the NPS and non-NPS items are attached to this Agreement (Attachment 4).
5. _____ (other party) represents and warrants that he/she/they is/are the sole owner(s) of all rights in the objects listed on Attachment 1. _____ (other party) hereby assigns in _____ (NPS unit) all of _____ (other party) common law and statutory copyrights to the objects listed in Attachment 1. _____ (other party) agrees to indemnify _____ (NPS unit) against any claims, damages, losses, or expenses of any kind that _____ (NPS unit) may suffer as a result of any infringement or alleged infringement of the copyrights to _____ (NPS unit).
6. Title to the objects exchanged under this agreement shall pass when the objects have been delivered pursuant to the terms of this Agreement and the parties have inspected the objects and found them to be in a satisfactory condition and are as represented in this Agreement. Inspections of the objects shall occur on the date of delivery.
7. As provided by 41 U.S.C. § 22, no member of or delegate to Congress, or Resident Commissioner shall be admitted to any share or part of this Agreement or to any benefit that might arise therefrom; but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.
8. No NPS employee or members of a NPS employee's immediate family shall be admitted to any share or part of this Agreement or to any benefits that may arise therefrom.
9. The exchange of all firearms must be in compliance with all state and local law enforcement regulations related to the acquisition of firearms. Upon consummation of this Agreement, the National Park Service shall not be liable for any action related to the use of firearms described within the Agreement.
10. The National Park Service will pay all costs of transporting and insuring the objects listed on Attachment 2 to _____ (address).

Figure 6.11a. Exchange Agreement (Sample)

Exchange Agreement (Continued)

11. The parties agree that the physical transfer of all objects covered by this Agreement will occur on or before _____ (date) and that time is of the essence to this Agreement. If _____ (other party) fails to deliver the objects listed on Attachment 1 to the agreed-upon place of delivery by the date given in this paragraph, the National Park Service may, at its option, terminate this Agreement, recover any objects which it may have delivered pursuant to this Agreement and sue for damages for undue delay of the performance of this Agreement or for specific performance of this Agreement. _____ (NPS unit) remedies hereunder are not exclusive and _____ (NPS unit) retains the right to pursue any and all legal remedies available to it for the breach of this Agreement.
12. Catalog information on all NPS objects incorporated under this Agreement is included by reference to the NPS catalog number listed on Attachment 2.

For the NATIONAL PARK SERVICE (Receiving):

Recommended: _____
(Park Curator) (Date)

Approved: _____
(Superintendent) (Date)

For the other PARTY

Name: _____

Approved: _____
(Date)

Approved: _____
(Date)

Address: _____

Telephone: _____ FAX: _____

Figure 6.11b. Exchange Agreement (Continued) (Sample)

Repatriation Agreement

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) provides definitions and procedures for the repatriation of certain Native American human remains and cultural items, as defined in 25 U.S.C. 3001-3013, in the possession of federal agencies and museums that receive federal funds to lineal descendants, Indian tribes, and native Hawaiian organizations; and

The representatives of the National Park Service _____ [NPS unit] have engaged in consultation with representatives of _____ [The TRIBE] to determine the applicability of these definitions and procedures to objects currently in the possession of the National Park Service _____ [NPS unit].

The National Park Service _____ [NPS unit] and _____ [The TRIBE] do hereby agree to the following:

1. That _____ [The TRIBE] is recognized as eligible for the special programs and service provided by the United States to Indians because of their status as Indians, and thus has status to make a claim for repatriation under NAGPRA;
2. That all cultural items described on the attached list meet the criteria outlined in the Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001-3013) and 43 CFR 10.2 (b), such that:
 - a. all *human remains* are of Native American ancestry and do not include remains or portions of remains freely given by the individual from whose body they were obtained;
 - b. all *funerary objects* are known or reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains;
 - c. all *sacred objects* are specific objects needed by traditional Native American religious leaders for the current practice of traditional Native American religions by their present-day adherents;
 - d. all *objects of cultural patrimony* have ongoing historical, traditional, or cultural importance central to _____ [The TRIBE], rather than to an individual tribal member and, as such, may not be alienated, appropriated, or conveyed by an individual Tribal member; and such object shall have been considered inalienable at the time the object was separated from _____ [The TRIBE];
3. That all cultural items described on the attached inventory were produced or used by an identifiable earlier group;
4. That evidence exists of a shared group identity that can be reasonably traced between _____ [The TRIBE] and the earlier group;
5. That a Notice of Inventory Completion concerning the human remains or associated funerary objects, or a Notice of Intent to Repatriate concerning unidentified funerary objects, sacred objects or objects of cultural patrimony described on the attached list has been published in the *Federal Register*. In the time since that publication [at least thirty days] neither the National Park Service _____ [NPS unit] nor _____ [The TRIBE] has become aware of any competing claim;
6. That, effective on the date of execution of this Repatriation Agreement, the National Park Service _____ [NPS unit] transfers to _____ [The TRIBE] all responsibility associated with the items described on the attached inventory.
7. That this Repatriation Agreement releases the National Park Service from any future claims by _____ [The TRIBE] regarding the objects described on the attached inventory.

Figure 6.12a. Repatriation Agreement (Sample)

Repatriation Agreement (Continued)

Signatures

This agreement shall become binding upon its execution by the authorized representative of each party. Each party warrants that it has the requisite authority to execute, deliver, and consummate the transactions contemplated by this agreement.

For the NATIONAL PARK SERVICE:

Recommended: _____
Curator Signature Date

SO Curator [Please print] Signature Date

SO Archeologist [Please print] Signature Date

SO Ethnographer [Please print] Signature Date

Approved: _____
Superintendent [Please print] Signature Date

NPS Unit: _____

Address: _____

Telephone: _____ FAX: _____

For the TRIBE:

Approved: _____
Official Representative or Lineal Descendant [Please print] Signature Date

Title Tribe/Organization

Address: _____

Telephone: _____ FAX: _____

Follow-up Contact: _____ Telephone: _____
Name [Please print]

FAX: _____

Figure 6.12b. Repatriation Agreement (Continued) (Sample)

Conveyance Agreement

Conveyance To:

Name:
Address:
(Box Number or Street)

(City, State, Zip)

Telephone: _____

FAX Number: _____

The National Park Service hereby unconditionally conveys to the above recipient, for the recipient's unrestricted use, the item(s) listed below. The National Park Service relinquishes any and all claims to the item(s) listed below.

The National Park Service certifies that the National Park Service holds free and clear title and associated rights, including copyright, to the subject property and that the National Park Service may dispose of the subject property in any manner that it may determine.

Description (or see attached list):

Park Name:

Park Address:
(Box Number or Street)
(City, State, Zip)

FAX Number: _____

Superintendent: _____

Print Name

Signature

Date: _____

The recipient certifies that the recipient is a (check one):

Date: _____

- private institution exempt from Federal taxation under sections 501(c)(3) of the Internal Revenue Code of 1986 dedicated to the preservation and interpretation of natural or cultural heritage and qualified to manage museum collections
- non-Federal government entity, dedicated to the preservation and interpretation of natural or cultural heritage and qualified to manage museum collections

The recipient hereby acknowledges receipt of and accepts the above museum property.

Accepted By: _____

(Name and Title of Responsible Official, Please Print)

Signature of Responsible Official: _____

Date: _____

Figure 6.13. Conveyance Agreement (Form 10-99)

Collections Advisory Committee Procedures

Committee Purpose

In keeping with National Park Service policies for preserving and protecting cultural and natural resources, (park name) has established a collections advisory committee to review the following types of deaccessions from the park's museum collection:

- transfers to non-DOI federal agencies
- conveyances (donations)
- exchanges outside DOI (excluding exchange of natural history specimens)
- voluntary destruction/abandonment of museum objects

The committee will advise the superintendent regarding the appropriateness of deaccessions and dispositions. The committee will be guided by the NPS policies and procedures set forth in the *Museum Handbook*, Part II, Chapter 6, Deaccessioning. Establishment of this committee should ensure that the above deaccession transactions are fair, open, and in the best interests of the public.

Committee Structure

Policy requires that the collections advisory committee at (park name) will consist of a minimum of two members. One member will be a curator at or above the GS-11 level. The other members of the committee will not be under the supervision of the curator. No maximum number of members is required on the committee. Members may be from outside the park, but all members must be federal employees. The superintendent will choose other members of the committee from park or center resource and interpretation specialists. Individuals who aren't federal employees may be consulted on a case by case basis, as necessary.

The superintendent will select which members of the committee will review a particular deaccession and appoint a lead committee member. The size of the committee may vary, depending on the subject matter and the complexity of the deaccession(s), but each review must involve the curator (GS-11 or higher) and one other member.

Committee Members

The collections advisory committee at (park name) will consist of the following specialists:

- Curator (Lead)
- Archeologist
- Chief Interpreter
- Cultural Resource Specialist

Committee Procedures

The committee meets as needed. The lead committee member distributes copies of the deaccession package(s) to other members, including non-federal individuals who aren't on the committee. The lead committee member schedules the meeting and documents the meeting (date, location, names of attending members). He or she attaches each committee member's review comments, and the comments of non-federal specialists, to the deaccession package and forwards it to the superintendent.

Each member receives a copy of the deaccession package(s) for review prior to the meeting. Members should be familiar with Chapter 6, Deaccessioning, in the *Museum Handbook*, Part II. Committee members may consult with subject matter specialists who are not on the committee regarding specific actions. Each committee member must record his or her comments on the review form and document any consultations with other specialists. The lead committee member forwards the comments to the superintendent.

Superintendent

Date

Figure 6.14. Collections Advisory Committee Procedures (Sample)

Specialist Review

Your comments here (or attached) show that you have reviewed the proposed deaccession for conformity with the laws authorizing NPS deaccessions and the deaccessioning guidelines in the Museum Handbook, Part II, Chapter 6, Deaccessioning, and have given your best professional advice about this transaction

Description of Proposed Deaccession:

Deaccession Type:

Disposition Type:

Comments (attach additional comments if necessary):

Deaccession Recommended: Yes _____ No _____

Disposition Recommended: Yes _____ No _____

Name: _____ Title: _____

Signature

Date

Figure 6.15. Specialist Review Form (Sample)