

**THIRD AMENDMENT TO
NATIONAL PARK SERVICE–AMERICAN MUSEUM OF NATURAL HISTORY
AGREEMENT**

THIS THIRD AMENDMENT (the “**Amendment**”), effective as of the date of the last signature (“**Effective Date**”), is by and between the **American Museum of Natural History**, a not-for-profit organization located at 200 Central Park West, New York, NY 10024 (“AMNH”), and the United States of America, United States Department of the Interior, National Park Service (“NPS”).

RECITALS

WHEREAS, the parties entered into an agreement effective July 7, 2009 (“**Original Agreement**”), under which the Ambrose Monell Collection for Molecular and Microbial Research also known as the Ambrose Monell Cryo Collection (“AMCC”) at the AMNH was granted the right to act as a repository for NPS tissue samples of organisms listed under the Endangered Species Act (ESA) and thereby establish a collection of NPS Specimens designated as the National Park Service Special Collection (the “Collection”) and lend NPS Specimens to the scientific community under terms and conditions as defined in the Original Agreement; and

WHEREAS, a First Amendment to the Original Agreement became effective July 1, 2014, modifying certain Original Agreement terms, including but not limited to, extending the Agreement expiration date to June 30, 2019; and

WHEREAS, a Second Amendment to the Original Agreement became effective July 1, 2019, modifying certain Original Agreement terms, including but not limited to, extending the Agreement expiration date to June 30, 2024; and

WHEREAS, the Parties desire to update AMNH’s address, expand and clarify the scope of the Agreement to include tissue samples of all animal organisms and update the language of the Original Agreement;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises made herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to amend the Original Agreement as follows:

1. The terms in the Original Agreement shall have the same meanings in this Amendment.
2. All references to the AMNH address as Central Park West at 79th Street shall be replaced by 200 Central Park West.
3. The first paragraph is hereby amended to read:

“This Agreement (“the Agreement”), effective July 7, 2009 (“Effective Date”), and expiring June 30, 2024, is made and entered into between the American Museum of Natural History, a not-for-profit organization located at 200 Central Park West, New York, NY 10024 (“AMNH”), and the United States of America, United States Department of the Interior, National Park Service (“NPS”).”

4. Section I, paragraph 1 is amended to read as follows:

The purpose of this Agreement is to allow the Ambrose Monell Collection for Molecular and Microbial Research also known as the Ambrose Monell Cryo Collection (“AMCC”) at the AMNH to act as a repository for NPS tissue samples of any and all animal organisms and thereby establish a collection of NPS Specimens designated as the National Park Service Special Collection (the “Collection”). NPS Specimens are collected in NPS units pursuant to permits issued under 36 CFR 2.5 and subject to NPS General Permit Conditions. NPS Specimens shall include both “specimens” and “materials,” whether capitalized or not, as those terms have been used interchangeably in this Agreement, as amended and including all appendices. NPS Specimens shall have the same definition as “Collected specimen” in the NPS Director’s Order #77-10: Benefits Sharing.

5. Section I, AMNH References, is amended as follows:

- a) Reference 2 is amended to read:

2. AMCC Loan Procedures

<https://www.amnh.org/research/sicg/amcc/tissue-loan-requests>

6. Section III.A.1 is hereby amended to read:

Key Official for biological resources matters:

Biologist
National Park Service
1201 Oakridge Drive, Suite 200
Fort Collins, CO 80525
Tel: 970-732-0877
Email: todd_suess@nps.gov

5. Section III, B.1 is hereby amended to replace the title of Scott A. Schaefer with “Dean of Science for Collections, Exhibitions, and the Public Understanding of Science & Director, Sackler Institute for Comparative Genomics.
6. Section III, B.2 is hereby amended to to replace contact information for Cheryl Hayashi with contact information for Scott A. Schaefer as follows:

Scott A. Schaefer
Dean of Science for Collections, Exhibitions, and the Public
Understanding of Science and Director, Sackler Institute for Comparative
Genomics
American Museum of Natural History
200 Central Park West
New York, NY 10024
Tel: 212-769-5652
E-mail: schaefer@amnh.org

7. Section IV.A. is hereby amended to read:

"Confidential Information" shall mean information concerning the nature and specific location (including exact collection site) of NPS specimens that are endangered, threatened, rare, or commercially viable and other information that is labeled "Confidential" in writing.

8. No Other Amendment. Except as expressly amended hereby, the provisions of the Original Agreement, the First Amendment, and the Second Amendment shall remain in full force and effect.

9. Counterparts; Electronic Delivery. This Amendment may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument. This Amendment may be executed by transfer of an originally signed document by facsimile, e-mail, or other electronic means, any of which will be as fully binding as an original document.

IN WITNESS WHEREOF, AMNH and NPS have caused this Amendment to be executed in duplicate by their respective duly authorized officers.

—Signatures begin on next page—

Agreed between the parties:

National Park Service

**RAYMOND
SAUVAJOT** Digitally signed by
RAYMOND SAUVAJOT
Date: 2021.07.12
10:30:10 -04'00'

Raymond M. Sauvajot
Associate Director,
Natural Resource Stewardship
and Science

American Museum of Natural History

Scott Schaefer Digitally signed by Scott
Schaefer
Date: 2021.07.07 07:41:33
-04'00'

Scott A. Schaefer
Dean of Science for Collections,
Exhibitions, and the Public Understanding
of Science & Director, Sackler Institute
for Comparative Genomics

Concurred:

**KATHLEEN
BYRNE** Digitally signed by
KATHLEEN BYRNE
Date: 2021.07.12
11:28:14 -04'00'

Kathleen Byrne
Acting Chief Curator and Manager,
Park Museum Management Program

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