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National Oceanic and Atmospheric Administration	NOAA Administrative Order 216-121	
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SUBJECT Natural Collections Management		

SECTION 1. PURPOSE.

This Order establishes the National Oceanic and Atmospheric Administration's (NOAA) policy for the acquisition, management, and use of its scientific collections of natural objects and materials; including, but not limited to, those consisting of biological, geological, air, and water specimens and samples. This policy provides guidelines to ensure decisions concerning collections are prudent, responsible, informed, and in accordance with NOAA's mission. The policy ensures that collections are responsibly developed, maintained, used, and preserved.

SECTION 2. SCOPE.

.01 Scope of Policy

This policy covers NOAA's collections of natural objects, specimens and materials, used for long-term research or exhibition, which are considered important artifacts and must be preserved as part of the world's natural history. It does not cover man-made items. NOAA's archaeological and historical collections are managed by different policies¹.

.02 Guiding Principles

This policy adheres to certain guiding principles, which are as follows:

- a. Only designated collecting units (CUs) are authorized to acquire and manage collections.
- b. Each CU develops, implements, and adheres to a collections management policy that fits within the broad policies set forth in this document.
- c. All policy-related decisions and collections' transactions are documented in written records.
- d. CU policies are periodically reviewed, reauthorized and if necessary, revised.

¹ NOAA archaeological collections must be managed in compliance with *Federal law 36 CFR Part 79 - Curation of Federally-Owned and Administered Archaeological Collections*. Documents, photographs, artifacts, and other objects of value representing the history of NOAA and of the United States should be managed in accordance with the policies of the *NOAA's Heritage Assets Program* and the *Federal Accounting Standards Advisory Board Statement of Federal Financial Accounting Standards 29 (Heritage Assets and Stewardship Land)*.

- c. Each CU develops policies specific to the nature, scope and character of their collections and discipline. CU policies must include the following components and provisions:
 - i. Statement of Purpose
 - ii. Primary Statement of Authority
 - iii. Definition of collection
 - iv. Collecting scope statement
 - v. Specific Collections Management activities

- f. Each CU must develop a collections plan.

SECTION 3. DEFINITIONS.

Acquisition: The act of gaining legal title to a collection item or group of items.

Access: The ability and opportunity of the general public, scholars, and NOAA staff to utilize the diverse collection resources of the agency.

Accessioning: The formal process used to record a collection item or group of items into NOAA collections.

Agreement: A formal, written arrangement between two or more parties that identifies roles and responsibilities and defines expectations, outcomes, and/or products.

Collection: A set of objects, specimens, and materials, and their associated information, which are acquired, maintained in an orderly manner, and managed in the public trust for the purposes of research, documentation, teaching or display. Collections also may comprise a lot or lots (see definition below). Collections include, but are not limited to, those identified as permanent, archival, voucher, museum, reference, or institutional collections. Samples or other objects acquired for specific research projects and are intended for disposal when the project is finished are not part of collections unless they are accessioned into a collection as defined herein. Objects or groups of objects cataloged for long-term organization beyond the needs of sample-tracking for a specific research project become collections by definition. Objects or groups of objects loaned to entities outside their collecting units, with the expectation of return, are also collections because that activity is among the primary functions of museum collections.

Collection, Permanent Accessioned: Items deemed to be of major significance for research or exhibition, or considered important to preserve as part of the world's natural history. Items accessioned into the permanent collection are preserved therein for an indefinite period. The permanent collection includes any relevant ancillary collections, that is, items that are not collection materials, but support a collection item as documentation. This NAO governs Permanent Accessioned Collections.

Collection, Un-accessioned (Teaching, Working, etc.): Items not suitable for inclusion in the accessioned collection because of an agreement, impediment, duplication, expendability or other consideration that makes them available for exchange, sampling and destruction. This category includes: 1) materials selected to transfer to permanent archival collections at museums or other institutions, or part of the processing backlog of materials that may become part of the permanent collection; 2) items appropriate for educational or outreach purposes; and 3) collections intended for use during on-going research and may be consumed during the analysis process. Un-accessioned collections may be discarded when it is determined there is no need for continued

retention for future research, education, on-going research, or they may be subsequently designated for inclusion in an accessioned collection. This NAO does not govern Un-accessioned Collections.

Collections Information: The documentation of the intellectual significance, physical characteristics, and origins of items in the collection (e.g., latitude/longitude collected, depth, date collected, collector), location, and legal status of collection items, as well as the collections management processes they undergo and their use in education and exhibitions. The value lies in its quality, integrity, comprehensiveness, and potential for use for research and educational purposes.

Collections Management: The deliberate development, maintenance, preservation, documentation, use, and disposition of collections.

Collection Units (CUs): Collecting entities within NOAA Line Offices that acquire collections for scientific, archival, or educational use by the agency. These include NOAA and Line Office programs, national and regional science centers, local laboratories and field stations. This is the entity that has the authority to make decisions about all aspects of the collections, including material collected through grants disbursed by the CU.

Deaccessioning: The process used to formally approve and record the removal of a collection item or group of items from NOAA's accessioned collections.

Disposal: The physical removal of a collection item or group of items from a NOAA collection.

Inventory: An information base containing sufficient information to allow retrieval of collection items, groups, or lots; also, the process of physically locating all or a selection of items for which the agency is responsible; and appropriate information to facilitate research, collections management, security, and access.

Inventory, Cyclical: A planned inventory of collection items conducted according to a predetermined schedule. Cyclical inventories may include a complete inventory or a specific percentage or sampling of the entire collection inventory, as predetermined using statistically sound inventory methods.

Loan and Borrow Transactions: The temporary transfer of collection items for an agreed purpose and with the agreement that the collection item will be returned at a specified time and in a specified condition. These transactions do not result in a change of ownership.

Lot: A set of multiple specimens or objects in a single container and catalogued as a single collection item.

NOAA Loan: Under formal agreement, NOAA CUs temporarily relinquish custody of, but not any implied title to, collection items on condition that the items be returned or dealt with by a specific time and in a specified condition. A loan may also be referred to as an outgoing loan.

NOAA Borrow: Under formal agreement, NOAA CUs obtain custody of, but not any implied title to, collection items for temporary use, on the condition the items be returned or otherwise dealt with by a specific time. A borrow may also be referred to as an incoming loan.

Preservation: The protection and stabilization of collections, as well as their associated information, through a coordinated set of activities aimed at minimizing chemical, physical, and biological deterioration and damage, thereby preventing the loss of intellectual, aesthetic, and monetary value. Preservation is an ongoing process with the goal of making collections available for current and future use.

Risk Management: The process of identification and evaluation of risk(s) to prevent or minimize exposure to factors that may cause loss, damage, or deterioration of collections.

Sampling and Destructive Analysis: Any of a number of procedures in which items, or samples of said items, are removed for research and entail the use of analytical processes that require the destruction of whole or part of an item to obtain information.

SECTION 4. POLICY.

.01 Background

The National Oceanic and Atmospheric Administration (NOAA) is the nation's premier science agency dedicated to the study of the natural world, from the ocean depths to the outer reaches of earth's orbit, including humans and their place in it. As part of its larger mission, NOAA is committed to collecting the critical data that support the scientific community, the advancement of knowledge, and its dissemination to the public. This focus requires a strong foundation built upon basic and applied research. The scientific method is intimately bound to curated collections, because specimens and samples are often useful for future investigation and necessary for documentation of past research. Thus, scientific collections have immense value because they enable the agency to make unique contributions to answer significant scientific questions and respond to national mandates, priorities, and concerns. They play a vital role in advancing scientific knowledge and increasing the scientific literacy of our nation. NOAA reference collections are continually accessed and share critical connections with other collections throughout the world.

NOAA collections are broad in scope and diverse in kind. The agency counts thousands of collection items, or lots, and associated archival materials among its holdings. NOAA understands its responsibility to preserve and provide access for the service of science. Collections continually evolve as the knowledge base, research programs, and needs of researchers evolve and change as well. New collections build upon old ones, reflecting the acquisition of indispensable objects and meeting the changing norms of research excellence in the service of scientific inquiry.

NOAA scientific collections and samples are acquired at considerable cost, with care to adhere to applicable laws and ethical considerations. They are the property of the United States government and are acquired as part of the effort to meet the agency's core mission, as follows:

- a. Understanding and predicting changes in climate, weather, oceans and coasts,
- b. Sharing knowledge and information,
- c. and Conserving and managing coastal and marine ecosystems and resources.

They support the mission for the good of the nation. Therefore, each NOAA office and employee has the responsibility to acquire samples and collections only when necessary to further the mission. There is also an obligation to develop a plan for the responsible management of each NOAA collection throughout the collection's life-span, from acquisition and curation through permanent retention, or disposal.

NOAA is committed to long-term stewardship of the collections and to increasing their availability to researchers and the general public. As one of the nation's premier earth-sciences agencies, NOAA has a commitment to conserve and protect its collections in a manner that will assure their continued accessibility by future generations, to hold them in trust, and to ensure fulfillment of their inherent potential. NOAA's well-deserved reputation for excellence in science will depend upon its continued ability to maintain well-cared-for collections and the infrastructure needed to ensure that care.

Historically, NOAA has managed and funded its scientific collections on an ad-hoc basis. In the absence of any centralized line-items to fund collections, or an enterprise-wide policy to define proper collections management, NOAA's collections are at risk. The purpose of this policy is to establish a standard for all applicable NOAA scientific collections, in compliance with the 2014 United States Office of Science and Technology *Improving the Management of and Access to Scientific Collections*, and provide the justification for designated funds to maintain that standard.

.02 Legal Issues

a. Ethics

NOAA recognizes its public trust responsibilities for proper management, preservation, and availability of its collections and associated information for the benefit of the scientific community and the general public. NOAA collection material or information may not be used for illegal or unethical purposes.

The acquisition and possession of collections impose ethical obligations to provide proper management, preservation, and use of the collections and their associated information.

NOAA employees are guided by generally accepted ethical and professional standards applicable in their fields, as published by professional membership societies and organizations. If such standards are in conflict with those of NOAA, the employee must abide by NOAA's standards.

NOAA employees, research associates, affiliates (including contractors and cooperative institute employees), interns, fellows and volunteers, (hereinafter referred to collectively as "staff") shall not maintain personal collections in NOAA facilities without the express approval of the appropriate authority.

All materials obtained with government resources during a staff's work for NOAA are government property and cannot become part of personal collections without approval.

Collections acquired or possessed contrary to legal statutes may not be brought into any NOAA facility.

Staff shall not provide valuations or market appraisals of collections or collections items except for official agency purposes.

b. Accounting for collections

NOAA collections are held in trust for research, education, and public exhibition in furtherance of public service, rather than financial gain. Collections are unencumbered, protected, cared for, and preserved. Accordingly, NOAA does not treat its collections as assets for purposes of reporting in its financial statements.

c. Freedom of Information Act (FOIA)

NOAA is subject to the Freedom of Information Act (FOIA), which governs access by the public to federal agency records. NOAA follows the intent and spirit of the law as a matter of policy. All requests citing FOIA must be referred to the Office of General Counsel.

d. Collections Posing Health and Safety Risks

NOAA owns and has custody of some items that may pose some risk to health and safety, either due to their inherent nature or construction, or as a result of post-collection alterations with hazardous materials. NOAA collections are included in the agency's laboratory spaces and are subject to all NOAA laboratory safety regulations, which follow OSHA standards and recommendations. NOAA will provide awareness of the potential hazards, and training in protective work practices to those who may come in contact with these collections. The visiting public will be protected from any adverse health or safety risk from objects on display. NOAA protects the environment through proper disposal of waste materials generated during curation, treatment, and management of NOAA collections.

.03 Funding for Collections Management

a. Activities Requiring Funding Resources

NOAA undertakes a variety of tasks for ensuring adequate, long-term care and maintenance of collections. Those activities include, but are not limited to, the following:

- i. Initial processing and cataloging of incoming collections;
- ii. Storing, inspecting, inventorying, maintaining, and conserving collections on a short-term or long-term basis once they have been established;
- iii. Establishing and maintaining facilities to house the collections, including construction, renovation, or leasing in order to repair, upgrade, expand, operate, and successfully maintain repositories that have the capability to provide adequate long-term curatorial services as set forth in this policy.
- iv. In situations when NOAA repositories that house and maintain collections can no longer provide adequate long-term curatorial services, this can be remedied either by:

- a. removing the collection from the NOAA repository and depositing it in another repository that can provide curatorial services in accordance with this policy (see section on Deaccessioning for how this may be done).
- b. entering into and maintaining on a cost-reimbursable or cost-sharing basis a contract, memorandum, agreement, or other appropriate written instrument with a repository that has the capability to provide adequate long-term curatorial services.

b. Funding Requirements

NOAA may fund the curatorial activities, as listed in section (a) above, using monies appropriated annually by the U.S. Congress, subject to applicable specific statutory authorities or limitations.

NOAA must identify the long-term requirements for its collections, including deficiencies and gaps and the resources required to meet the requirements. NOAA must maintain an annual, itemized record of all monetary and expenditures related to its scientific collections. This information will be communicated to the Deputy Under Secretary for Operations and the Chief Scientist, who will work with the line offices, heads of the Collections Units and NOAA Research Council to develop plans for addressing the requirements and funding needs.

- i. Prior to the beginning of the fiscal year, each CU must establish an itemized annual estimate for all funds necessary to fully comply with the collections standard established by this policy;
- ii. At the end of the fiscal year, each CU must report on all actual expenditures made to maintain its collections and indicate from where those funds were obtained;
- iii. Using the information from i and ii, each relevant line office will develop an annual budget that enables its CUs to comply with the collections standards established by this policy.

.04 Policy Elements

a. Acquisitioning and Accessioning

All collection acquisitions are subject to this policy document. Collections may be acquired only in accordance with established authority and only when consistent with applicable law and professional ethics. NOAA exercises due diligence in complying with all applicable federal, state, local, and international laws, treaties, regulations, and conventions. Laws and regulations will be observed, and compliance documented.

NOAA observes the highest legal and ethical standards in the acquisition of collections. Collecting units shall exercise due diligence, including making reasonable inquiries into the provenance of collection items under consideration for acquisition. Inquiries are made to determine that NOAA can acquire valid title to the collection item and that the acquisition will conform to all legal and ethical standards.

Potential acquisitions must undergo a rigorous, documented selection and review process, with evaluation criteria documented in CU policies.

NOAA may be offered collections from institutions that can no longer care for items. When such material meets appropriate criteria, it may be considered for acceptance.

If there are institutions where offered collections would be more appropriately housed, or where there are researchers who would actively study them, NOAA will facilitate the placement of such collections in those locations.

NOAA may acquire items jointly with other institutions or agencies with which it agrees to share ownership and management. In such instances, a written agreement must stipulate the terms and conditions and the responsibilities of each party. This must be formalized and approved before final acceptance.

As a general rule, items are acquired and accessioned only when there is a good faith intention to retain them in the collections for an indefinite period of time. Under certain circumstances, collections may be acquired that may be subject to consumption in part or whole, or which may be culled in the course of identification and study. If at the time of acquisition NOAA intends to dispose of part or all of the collection, this decision must be documented in agency records and communicated to the source or party conveying ownership.

NOAA generally acquires unrestricted collections. Certain restrictions can be accepted, such as instances in which the country or agency of origin places restrictions on use and disposal, or on retention of intellectual property rights. Any restrictions must be documented in agency records at the time of acquisition and must be reviewed periodically.

Among the various NOAA collecting units, some overlap in collecting is inevitable; however, competition for a particular acquisition is inappropriate. When more than one collecting unit seeks to acquire the same collection item, the parties concerned must agree on which unit will acquire the collection item.

NOAA collecting units may accession a specimen(s) "found in collection" if there is no evidence that the item(s) entered the agency as a loan (see section 4.04.g on Loans and Borrowers).

NOAA does not accession every collection item it acquires, depending upon the intended uses of the item.

Collecting units shall not opportunistically or purposefully collect or acquire items outside of their recognized discipline on behalf of another collecting unit without the prior agreement of the relevant collecting unit.

When a proposed acquisition is inappropriate for a NOAA collecting unit, staff should recommend another NOAA unit if the collection item is consistent with the collecting goals and mission of that unit.

When NOAA cannot accommodate a collection, staff may assist potential donors in locating local, regional, or international repositories that can effectively use the collection for educational or scientific purposes.

NOAA may decline offers of collections items at its discretion in accordance with established policy, authority and acquisition criteria.

Acquisitions, once accessioned, are subject to the deaccessioning criteria of this policy (see section on Deaccessioning).

Certain laws may require that acquired and accessioned objects be deaccessioned from the collections of NOAA and repatriated elsewhere as per the specific statute or law.

b. Preservation, Risk Management and Security

NOAA must balance current research and educational use with the preservation requirements of collection items to ensure that they are maintained for future uses and rightfully serve their intended purpose.

Each CU shall ensure that NOAA provides the basic utilities and programs for the safety and well-being of the collections.

Each CU shall assess and report the status of the collections within its oversight on a cyclical basis to the Chief Scientist and Deputy Under Secretary for Operations.

Each CU shall identify, reduce, or eliminate risks through a systematic risk management assessment program. Examples include an integrated pest or light damage management plans, if appropriate.

All NOAA facilities, owned or leased, must have a written disaster preparedness plan. Collections at NOAA facilities should be a part of each disaster preparedness plan, in accordance with the NOAA-wide guidance for hazardous incidents. Disaster preparedness plans should specify that NOAA facilities with collections must:

- i. Provide storage environment appropriate to protect the collection from deterioration upon receipt of necessary resources and in conjunction with appropriate facilities condition,
- ii. Periodically review all aspects of collections management activities to reduce risks in the event of a disaster,
- iii. Establish a security plan that protects the collections during both normal and high-risk activities,
- iv. Ensure that collections are maintained in controlled areas that are adequately protected against accidental loss, damage, fire, theft, terrorism, vandalism, deterioration, and natural and man-made disasters,
- v. and Communicate as soon as possible to the appropriate authority within NOAA regarding suspected or known collection losses or damage.

c. Collections Information

Collections information that is well documented adds value to a NOAA collection. The primary purpose of collections information is to document their legality, condition and utility. NOAA has a responsibility to acquire, develop, and maintain collections information systems that enhance access to, and accountability for, its collections and research findings and to ensure their long-term preservation. NOAA is committed to the

effective use of its collections by placing collections information in accessible computerized databases, implementing professional documentation standards, and sharing these through collaborations among NOAA collecting units and with other educational and research institutions.

Centrally-supported collections information systems that document collection holdings and transaction management must support and meet NOAA goals for accountability and access. Such systems will adhere to NOAA data management requirements. The provenance of acquired NOAA collection items is a matter of public record. Access to potentially sensitive information, (e.g., collector information, custody and physical location, collecting localities, intellectual property restrictions, security, and requirements for restricted use, and other issues of privacy), may legitimately be limited at the discretion of the CU head. The NOAA General Counsel must be consulted when determining policy for restriction of access to information.

Ownership and custody information for all collection items must be recorded by the CU in a method and format appropriate to the collection status of the item.

All original primary collection records (e.g., field notes, research-related notes, images, photographs, illustrations, correspondence, original card catalogues, sound and visual recordings, and other records and documents directly or indirectly related to the collections or collection activities) are the property of NOAA. All such original primary collection records are to be maintained in good order and must be accessible, in keeping with current archival policy and standards.

The following original documents related to all collections transactions are managed and preserved by the CU:

- i. acquisition,
- ii. accession,
- iii. loan,
- iv. borrow,
- v. exchange,
- vi. deaccession,
- vii. associated information,
- viii. shipping,
- ix. insurance,
- x. disposal.

The CU develops and implements procedures and allocates resources for the protection and management of collections information in electronic form.

All objects in collections must have labels that clearly identify the objects and that have enough information so that all of the data associated with the object can be retrieved. These labels must be associated with the objects in a manner that prevents easy separation from each other.

d. Inventory and Annual Reporting

Effective collection management requires a system to support decisions for collection use, growth, storage, and security. In addition, an ongoing inventory program is an essential security device to deter and detect loss or theft of collection items. Inventory records serve as a tool for accountability

All CUs must:

- i. Keep accurate records of location information of collection items,
- ii. Control through a single, designated point all collection items entering or leaving a CU,
- iii. Maintain records of movement of all collections items,
- iv. and Have a cyclical inventory.

Each CU will provide an inventory of its collections to the Chief Scientist (CS). The CS will designate an appropriate office to maintain a list of all NOAA collections in electronic format, which will be made available to the public.

Each CU will submit an annual report to the Chief Scientist (CS) on its collections that provides information on any significant changes in status of the collections in that year.

e. Access

NOAA promotes access to its collections and associated information through research opportunities, reference systems, loan and exchange of collections, electronic information services, traditional and electronic exhibitions, and educational programs and publications.

NOAA will provide access to its collections and collections' information consistent with its stewardship responsibilities. Physical and intellectual access to the collections must be balanced with preservation and protection concerns. As a general rule, members of the public are allowed access to the collections under supervision of NOAA employees for specific legitimate reasons, e.g., to conduct selected research or to participate in pre-arranged formal educational activities. Laboratory safety training is required for all people who work in NOAA collections, however, including the public.

In keeping with its stewardship responsibilities, NOAA will control, monitor, and document access to, and use of, collections.

Staff responsible for providing physical access to collections, as authorized within each unit, must be familiar with the collections and their preservation needs.

NOAA collection users are required to demonstrate competence in handling collections, as appropriate, as well as willingness to comply with security precautions or other restrictions.

If a member of the public or another user handles items in the collection in a way that is not in accordance with NOAA-approved practices and professional guidelines, these incidents will be documented and the records maintained by the CU. The individual will be notified of the incident and may lose access to the collection in the future.

Access to collections and collections information may be restricted due to any of the following:

- i. Resource limitations,
- ii. Security,
- iii. Object availability,
- iv. Cultural sensitivity,
- v. Intellectual property rights,
- vi. Applicable restrictions,
- vii. Chain of custody issues or evidentiary concerns,
- viii. Loan agreements,
- ix. and Preservation constraints.

NOAA may deny access to collections and collection documentation if access would disrupt or compromise ongoing research.

Electronic access to collections or collections documentation must be based on traditional principles guiding access to original objects and documents, and facilitate greater access to NOAA collections.

Material provided through electronic access is subject to the same conditions and restrictions covering physical access and use of collections (with the exception being the requirement that collection users must complete laboratory safety training).

NOAA collections researchers and users must acknowledge or credit NOAA for providing information or collection materials per CU standards.

f. Loans and Borrows

Lending and borrowing collection items for research, public exhibition, and education are an integral part of NOAA's mission, which include transactions between NOAA CUs and other educational and scientific organizations.

Whenever possible, objects subject to loans to those outside of NOAA should be transferred to a permanent museum collection as described in the section on Deaccessioning and Disposal.

A collection item may be loaned or borrowed only in accordance with established authority and only when consistent with applicable law and professional ethics.

All NOAA loans and borrows must adhere to applicable federal, state, local, and international laws, treaties, and regulations.

All NOAA loans and borrows must be documented by a loan agreement or contract that will include information on who covers the cost of shipping and insurance.

As a general rule, NOAA collections are loaned out for research, public exhibition, or educational purposes.

In general, loans of NOAA materials are not made to private individuals. NOAA collections may not be loaned for private pecuniary gain. Collections may be loaned for commercial purposes, provided that the proper approvals and contracts are in place.

The CU shall assess and record the condition of collection items selected for loan to others, whether internal or external, through the loan agreement at the time the loan is established.

All loan and borrow transactions are for a specified time and to a specified party, with the option for renewal as appropriate. NOAA may recall loans prior to the agreed-upon date in accordance with the loan agreement. Neither loaned nor borrowed items may be forwarded to a third party without prior written approval of the party who owns the items.

NOAA does not permit indefinite, long-term, or permanent loans. Objects considered for these types of loans must be transferred to permanent museum collections as described in the section on Deaccessioning and Disposal.

NOAA may require that borrowing organizations provide necessary shipping materials and directly pay shipping, and other costs, for making the outgoing loan.

Regardless of the length and type of outgoing loan, NOAA retains fiduciary responsibility for the continued oversight of its collections.

NOAA acknowledges its responsibility to provide appropriate physical safeguards for borrowed collections items in its custody, for the full term of the loan agreement.

NOAA may deny loan requests at its discretion, in consideration of the following criteria:

- i. Items actively being used by a NOAA researcher for a research project that has not been published;
- ii. An item requested is scheduled to be used or loaned for other purposes at the same time;
- iii. The requestor cannot provide evidence of proper facilities, permits, or fulfill standard preservation requirements;
- iv. The requested item is of great scientific value or is unique. However, if this is the case, NOAA must consider whether such items should be transferred to a permanent museum collection as described in the Deaccessioning and Disposal section;
- v. The requested item is in a condition that loaning it would place it at risk.
- vi. The requester has previously violated the terms of a loan, including handling, sampling and/or return requirements;
- vii. Issues related to cultural sensitivity and/or repatriation would mandate a restriction in access;

- viii. The loan would compromise privacy, safety, or intellectual property rights;
- ix. Inordinate costs or resources would be required to satisfy the request.

The status of loans to NOAA which have expired, but for which the lender cannot be found, shall be resolved in accordance with due process, reasonable search, and notification procedures.

The CU will not allow any collection item to be exhibited to its detriment or exhibited in such a way that risks human health and safety or the integrity and stability of the item.

NOAA will be appropriately credited in all exhibitions and supporting publications.

Items on loan to NOAA for forensic or other legal purposes from medical, investigative and enforcement agencies may be kept as needed for purposes of evidence. These loaned items may be accessioned into NOAA collections only when released from legal restrictions. They are subject to the requirements of the applicable Memorandum of Understanding (MOU) or agreement, which supersedes routine transaction policy and procedures.

g. Destructive Analysis and Sampling

NOAA permits destructive analysis and sampling of collection items in accordance with established CU policies and procedures and in compliance with any documented restrictions on use of the items. The importance of test results must be weighed against the total loss of the collection item and its value. These materials must be clearly acknowledged in any publications and research communications. Information gained from the destructive analysis shall be provided to the CUs and included in the agency's records.

Destructive analysis or sampling, or consumptive use of collection items shall be carried out only as authorized by established policy. The CU shall appropriately document these activities.

Collection items borrowed by NOAA may not be sampled or consumed through destructive analysis or undergo conservation treatment without the prior written permission of the owner.

Collection items loaned by NOAA may only be sampled or consumed through destructive analysis or undergo conservation treatment with the prior authorization of the CU and according to its procedures.

Sampling and destructive analysis procedures are set by policies established by the CU for all routine consumptive uses of collections items.

h. Deaccessioning and Disposal

As a general rule, items are acquired for NOAA collections only when there is a good-faith intention to retain them for an indefinite time period. They are retained as long as they continue to serve the goals and objectives of NOAA and can be properly

maintained and locally used. Objects of exceptional scientific or national importance (for example, but not limited to, type specimens or specimens of extinct species) should be transferred to permanent museums that have funds dedicated to permanent curation.

Deaccessioning and disposal are a legitimate part of responsible collections management. Prudent collection management actions, including judicious evaluation, deaccessioning, and disposal of existing collections, are intended to refine and improve the quality and relevance of the collections with respect to the agency's mission and purpose.

Deaccessioning and disposal occur for the following:

- i. Deterioration of collection items beyond usefulness,
- ii. Duplication or redundancy of collection material beyond that sufficient to capture variation of interest for research,
- iii. Insufficient relationship of collection items to the mission and goals of the agency such that they are judged to be better placed elsewhere,
- iv. Transfer to permanent archival museums,
- v. Repatriation,
- vi. and Selection for consumptive research or educational use.

Consideration must be given to:

- i. How research objectives will be met in the absence of the deaccessioned collection items,
- ii. The possibility of replacing them if needed,
- iii. The costs of replacement,
- iv. The loss of any future research products that might ensue from their absence,
- v. and Other impacts on NOAA scientists as result of lost access to the items.

NOAA disposes of collections by a variety of methods, such as donation, transfer, exchange, repatriation, and destruction.

Collections may be deaccessioned and disposed of only in accordance with established authority and only when consistent with applicable law and professional ethics.

All applicable federal, state, local, and international laws, treaties, and regulations and any other applicable restrictions will be observed and documented. NOAA entities acquiring and maintaining collections must be aware that other institutions to which collection items might be transferred will have strict requirements for, and request proof of, compliance with those laws, treaties, regulations and other restrictions, including but not limited to compliance with Animal Welfare Act and the Institutional Animal Care and Use Committee. NOAA collection items must be acquired with the expectation that those requirements will apply when items are transferred to other institutions.

Staff will use due diligence in reviewing legal and ethical issues related to the item to be deaccessioned and proposed action.

NOAA has an obligation to transfer collections or collection items of exceptional scientific or national importance to permanent museums that maintain collections or items in an archival state with funds permanently dedicated to their curation.² NOAA will also receive the greatest benefit from transferring NOAA collection items to permanent museums that are either near the NOAA office that will make greatest use of the items, for ease of access by NOAA scientists most likely to use them, or to museums with active researchers with the expertise to make best scientific use of the objects. Therefore, when deaccessioning or otherwise transferring collection objects, NOAA offices and staff will give these priorities to places the objects will be sent, including:

- i. The appropriate museum of the Smithsonian Institution,
- ii. Other Federal offices that can responsibly care for the objects,
- iii. Museums within geographic proximity to the NOAA office transferring the objects,
- iv. or Another museum with active researchers who will make best scientific use of the objects.

The CU disposing of collections items must comply with all legal and regulatory requirements posed by hazardous or regulated materials. Compliance with those requirements must be documented.

Deaccessions and disposals, including destructive analysis or sampling may proceed only after establishing clear and unrestricted title to an item. In cases where title is in question, the CU must first seek guidance from the Office of General Counsel.

All exchange of items must be made per written exchange agreements.

Written records of deaccession transactions must be kept and reported. At a minimum, the records must include an itemized list of items deaccessioned with information link them to the collection records, the collection manager or other person deaccessioning the item, the disposition of the items (e.g., transferred and to where, destroyed), the date of deaccessioning, and the recipient of the transfer if applicable.

Collection items must not be disposed without undergoing the deaccession process unless they meet the following criteria:

- i. They are not accessioned, or have no evidence of ever having been accessioned, and have no associated number identification
- ii. And They lack data needed to associate them with a donor or other records.

The following disposal methods must be used:

² By Federal law the Smithsonian Institution is the official repository of all collections made by U.S. Federal agencies. The Sundry Civil Act of March 3, 1879 [20 USC § 59] states that "All collections of rocks, minerals, fossils, and objects of natural history, archaeology and ethnology, made by the National Ocean Survey, the United States Geological Survey, or by any other parties of the Government of the United States, when no longer needed for investigation in progress shall be deposited in the National Museum." On this authority, the Smithsonian's National Museum of Natural History (NMNH) serves as a repository for natural history collections made by or on behalf of other Federal agencies and entities. These collections are managed under the same policies and standards of stewardship as all other NMNH collections, under the terms of the agreements establishing the repository arrangement. However, the Smithsonian cannot accept all materials from agencies like NOAA because of space and budget constraints. Therefore, the working policy for federal agencies is to give the appropriate museum of the Smithsonian Institution the right of first acceptance or refusal for federal collection items to be deaccessioned.

- i. Return to the rightful owner when NOAA lacks title,
- ii. Donate to a recognized research or educational organization.
- iii. Transfer to another NOAA organization, other Federal organization, or established archival museum,
- iv. Perform routine destruction for disposal or destructive analysis as established by the standards of the collecting unit,
- v. and Perform routine destruction of items from teaching collections that have deteriorated past usefulness.

Routine destruction for disposal or destructive analytical studies of items does not require approval outside the collecting unit.

SECTION 5. RESPONSIBILITIES.

Overall authority for this NAO will be held by the NOAA Deputy Under Secretary for Operations (DUS/O) and the NOAA Chief Scientist. Day-to-day implementation of the policy will be carried out by Collections Unit heads as defined in the NAO. The DUS/O and Chief Scientist will work with the NOAA Line Offices to determine the CU heads, as appropriate.

SECTION 6. REFERENCES.

This policy has been developed to comply with the following authorities:

.01 White House Office of Science and Technology Policy (OSTP) Memorandum "Policy on Scientific Collections," October 6, 2010.

.02 OSTP Memorandum "Improving the Management of and Access to Scientific Collections," March 20, 2014.

.03 National Science and Technology Council Interagency Working Group on Scientific Collections (IWGSC) report "Scientific Collections: Mission-critical Infrastructure for Federal Science Agencies," 2008.

In addition, NOAA's scientific collections support the agency's conservation and stewardship responsibilities of federal trust resources (living marine resources and essential habitat), monitoring of marine ecosystems and their environment, and impacts and predictions of climate change. This work is mandated by enacted legislation, executive orders, and administrative actions. The following is a list (not comprehensive) of the applicable laws:

Ecosystems

- Antarctic Conservation Act, 1978.
- Coral Reef Conservation Act, 2007.
- Endangered Species Act, 1973.
- Executive Order 13158, Marine Protected Areas.
- Harmful Algal Bloom and Hypoxia Research and Control Act, 2018.
- Magnuson-Stevens Fishery Conservation and Management Reauthorization Act.
- Marine Mammal Protection Act, 1972.
- Marine Protection, Research and Sanctuaries Act, 1972 and amendments.
- National Sea Grant College Program Act, 1966.

- Presidential Proclamation 8031, Establishment of Papahānaumokuākea Marine National Monument.

Climate

- Global Change Research Act, 1990.
- Implementation Plan for the Global Observing System for Climate.
- National Climate Program Act, 1978 and amendments.
- Ocean Research Priorities Plan and Implementation Plan.
- Strategic Plan for the United States Climate Change Science Program.

Integrated Ocean Observing

- Executive Order 13366, Committee on Ocean Policy.
- United States Ocean Action Plan and United States Ocean Action Plan Implementation Update.
- Interagency Working Group on Ocean Observations Charter.

SECTION 7. EFFECT ON OTHER ISSUANCES.

.01 The Assistant Secretary of Commerce for Environmental Observation and Prediction Performing the duties of Under Secretary of Commerce for Oceans and Atmosphere signs because there is no delegation of authority for this NAO.

.02 An electronic copy of this order will be posted on the NOAA Office of the Chief Administrative Officer website under the NOAA Administrative Issuances Section.
<http://www.corporateservices.noaa.gov/~ocao/index.html>



Neil A. Jacobs, Ph.D.
Assistant Secretary of Commerce for
Environmental Observation and Prediction
Performing the Duties of
Under Secretary of Commerce
for Oceans and Atmosphere

Offices of Primary Interest:
National Marine Fisheries Service (NMFS)
National Ocean Service (NOS)
Oceanic and Atmospheric Research (OAR)