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National Park Service  
U.S. Department of the Interior



Mojave National Preserve and  
Castle Mountains National Monument

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## Scope of Collection Statement

December 2024



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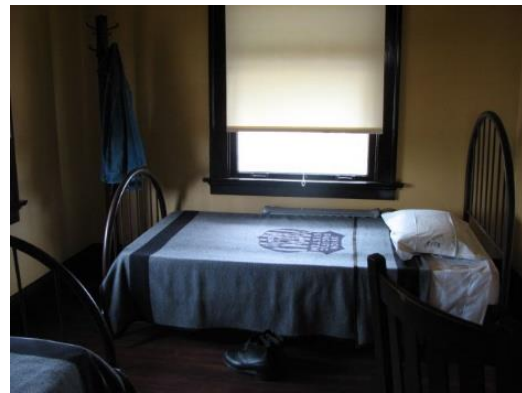
## I. INTRODUCTION

Acquisition of museum objects is governed by the park's ability to manage and preserve materials according to NPS Management Policies, Chapter 5 (2006), the standards for managing museum objects in NPS-28: Cultural Resources Management Guideline (1998); Special Directive 80-1 Guidance for Meeting NPS Preservation and Protection Standards for Museum Collections (1990); and the NPS Museum Handbook I-III. See section IV Acquisitions for more information.

### 1. Executive Summary

Mojave National Preserve (MOJA or Preserve) was created by the California Desert Protection Act of 1994. Formed from lands originally administered by the Bureau of Land Management (BLM), covering 1.6 million acres of the Great Basin Sonoran and Mojave Desert ecosystems.

Within the Preserve boundaries are several potential educational and museum collections stakeholders. The Providence Mountains State Recreation Area, the University of California's Granite Mountains Natural Reserve, and the California State University, Fullerton (Soda Springs Desert Studies Center), all have an interest and potentially are a source of Preserve related materials and scientific studies.



The cultural collection currently includes archeological materials collected from within the preserve's boundaries, associated field records, and historic objects from area ranches, the African American homestead community in Lanfair Valley, and the railroad community of Kelso. Precontact objects located on archeological surveys are generally documented and left in-situ. Cultural collections are stored in the museum storage facility at park headquarters.

To accommodate current museum management philosophies, cataloged period objects purchased for display in the Kelso Depot as historic furnishings should be deaccessioned from the museum collections and listed as other park property.

The MOJA natural history collections are predominately the result of permitted scientific investigations and are stored for continued research under various loan agreements. A small collection of geology and paleontology materials, assembled by park staff has been cataloged into the collections. Park staff are also working on assembling an herbarium collection. Seed banking, for conservation purposes, is managed separately from the museum program under living collections agreements between MOJA and the repositories.

Surrounded on three sides by MOJA, Castle Mountains National Monument (CAMO) was established as a national monument by President Obama on 12 February 2016 encompassing 20,920 acres. Notable historic resources include the Rock Springs Land and Cattle Company area which has been nominated to the National Register of Historic Places as a historic district. Official administration and management of CAMO is through MOJA. MOJA is currently conducting resource surveys and developing management plans for CAMO and no museum collections have been processed.

The JOTR Museum Curator is the Curator-of-Record / Designated Custodial Property Officer for MOJA/CAMO museum property. For additional information on the museum collection, please contact Joshua Tree National Park Curator at 760.367.5571, melanie\_spoo@nps.gov.

## 2. Purpose of the Scope of Collection Statement

This [Scope of Collection Statement \(SOCS\)](#) defines the composition of present and future museum collection holdings of Mojave National Preserve/Castle Mountains National Monument that contribute directly to the understanding and interpretation of the park's purpose, themes, and resources, as well as those objects that the National Park Service (NPS) is legally mandated to preserve. The SOCS is designed to ensure that the entirety of the museum collection is clearly relevant to the site and sets appropriate limits for acquisition. The SOCS is intended to be an evolving document which must be reviewed on a regular basis (minimum 5 years). Updates/changes should be made through interdisciplinary efforts of park and regional subject matter experts ([411.1 DM](#))

[Director's Order #24: NPS Museum Collection Management](#) states that NPS units with museum collections must:

- Approve and keep current a Scope of Collection Statement to identify the scope of collecting activities and define the purpose of the collection. (DO 24 4.3.6)
- Ensure that the statement is consistent with natural resource and archeological permit conditions. (4.3.6)
- Ensure acquisitions are consistent with the Scope of Collection Statement. (4.3.6)
- Deaccession objects inconsistent with the Scope of Collection Statement. (4.3.18)

Refer to the Use and Restrictions Appendix for other legislation and NPS legal authorities to acquire and preserve museum collections.

## 2. Context for MOJA/CAMO Museum Collection

### A. Park Purpose and Significance

As stated in the park's foundation document, Mojave National Preserve protects a diverse mosaic of desert ecological communities and functions, and evidence of a 10,000-year history of human connections with the desert. By offering extensive opportunities to experience a wide variety of desert landscapes, the Preserve promotes understanding and appreciation for the increasingly

threatened resources of the Mojave Desert and encourages a sense of discovery and connection to wild places.

*No Purpose Statement has been specifically developed for the Castle Mountains National Monument*

#### Park Mission Statement

As listed in the park's Foundation Document, the following significance statements have been identified for the Mojave National Preserve:

- Mojave National Preserve (MOJA) protects a large, relatively intact ecosystem of the eastern Mojave Desert from continuing threats associated with expanding development and provides connectivity between other protected natural areas within the larger Mojave Desert ecoregion.
- MOJA offers exceptional access to remote, wild places and provides a unique sense of discovery for visitors throughout its 1.6 million acres.
- The preserve encompasses a wide variety of classic desert landforms, including mesas, bajadas, dry lakes, sand dunes, and cinder cones. These exposed geologic features exemplify the rugged beauty of the West.
- MOJA provides opportunities for solitude, exemplified by natural sounds and dark night skies, functioning as an increasingly rare refuge from nearby urban areas.
- MOJA has a long, robust history as a well-traveled corridor across a harsh and foreboding desert, linking the Southwest with the coast of California from ancient time to the present.
- MOJA protects a continuous record and remnant sites of resilient peoples who have adapted to and manipulated the desert through evolving relationships with the landscape – shaped by cultural values that are both ancient and contemporary.

Fundamental resources and values for MOJA (as identified in the Foundation Document, Mojave National Preserve)

- Full range of biological diversity of native species representative of the eastern Mojave Desert ecosystem, minimally disturbed by humans
- Exposed geologic features and landforms, including sand dunes, cinder cones, mesas, and dry lakes
- Desert scenery (encompassing geology, landscape, vegetation, big sky, wildlife, etc.).
- Living laboratory that provides unique opportunities for education and research of abundant natural and cultural resources within a minimally disturbed desert ecosystem
- Natural soundscapes and dark night sky
- Vast expanse of undeveloped open space, including wilderness
- Sense of discovery
- Exemplary relics, sites, stories, and other resources associated with ancient inhabitants as well as Mojave and Chemehuevi tribal cultures

- Exemplary relics, sites, stories, and other resources associated with historic uses of the eastern Mojave Desert including mining, ranching, homesteading and railroad history
- Exemplary sites and stories associated with early trade, exploration, and transportation routes such as the National Register of Historic Places listed Mojave Road and the Old Spanish National Historic Trail

*Management documents specifying significance statements or fundamental resource and values have not yet been specifically identified for CAMO, although the enabling legislation lists both natural and cultural areas of importance. These include the historic community of Hart, numerous archeological sites, both pre- and post- contact, rare plant assemblages and wildlife species of special concern.*

## B. History of MOJA/CAMO and the MOJA/CAMO Museum Collections

Predating NPS management, the BLM conducted several historic preservation and archeological projects. A limited number of archives and a small number of physical collection objects and photographic documentation associated with these activities, have been transferred to MOJA museum and archives. It is believed the remaining majority of archeological collections are currently held by the San Bernardino County Museum as BLM property.



Harpers Ferry Center and MOJA staff purchased period furnishings for populating the furnished exhibit rooms in the Kelso Depot from antique stores and Ebay. Those objects that made it into the exhibit have been accessioned and cataloged according to standards of the time but should now be processed for deaccessioning and transferred to the park for management as park property.

A small number of collections directly associated with MOJA have been donated to the park by individuals who previously homesteaded, ranched, and/or lived/worked in what is now MOJA. Limited precontact cultural materials have been collected by Park staff and have been added to the park museum collections.

The natural history collections currently managed at the park are predominantly the result of scientific research permits. Few specimens outside of paleontology and geology specimens are curated in the MOJA museum storage facility. The majority of natural resource specimens are maintained by outgoing loans at several universities and other research facilities. An unknown number of collections, created before NPS administration, may be held by various repositories.

*There are currently no museum collections for CAMO.*

## C. Collection Themes and Categories

Interpretation themes identified for MOJA in the Foundation Document

- Desert Confluence. Complex and varied microhabitats within the Basin and Range Province, created by the interplay of topography, weather, and hydrology, produce

conditions that support a rich diversity of Mojave Desert ecosystems interlaced with plant species typically found in the Great Basin and Sonoran deserts.

- Geologic Landforms. Over millions of years, geologic forces have shaped the Mojave landscape, forming igneous, sedimentary, and metamorphic rocks and a variety of landforms, such as cinder cones, lava beds, sand dunes, playas, mesas, and bajadas.
- Desert Adaptations. Joshua trees, desert tortoises, and desert bighorn sheep are not only iconic examples of the diversity of plants and animals of the Mojave Desert, but also are emblematic of the surprising adaptations that have allowed diverse life forms to thrive in this arid environment.
- Environmental Threats. Deserts are often viewed as empty wastelands, but in fact, they are mosaics of ecosystems rich in diversity, but easily impacted by human activities.
- Human Habitation. Historical and cultural resources of the California desert spanning 10,000 + years of human presence are found at sites associated with both ancient and more recent tribal cultures, as well as more recent patterns of exploration, westward expansion, mining, ranching, and railroading history.
- Desert Wilderness. The size and isolation of the preserve, nearly half of which is designated wilderness, combined with relative ease of access, offer unrivaled opportunities for visitors to undertake primitive and unconfined recreational activities, experiencing an immersion in qualities such as solitude, natural quiet, expansive vistas, and dark night skies.

Stated themes from park planning documents do not always reflect current thematic targets which include precontact Native American Cultural Material such as petroglyph and pictograph sites, lithic sites, rock shelters, etc., historic ranching, historic mining, and historic home steading (including the African American homesteaders in Lanfair Valley).

*No interpretive themes have been identified for CAMO.*

#### D. Special Designations

Two National Natural Landmarks are within the boundary of the preserve: Cinder Cones National Natural Landmark, managed by MOJA, and Mitchell Caverns and Winding Stair Cave which are within the preserve boundary but managed by Providence Mountains State Recreation Area.

MOJA: National Register of Historic Places - Old Spanish National Historic Trail, Rock Springs Land and Cattle Company, CA-Sbr-291\_Council Rocks, and the Mojave Road.

CAMO: Rock Springs Land and Cattle Company has been listed as a historic district in the National Register of Historic Places

## II. TYPES OF COLLECTIONS

This section describes the contents, present and future, of the park's cultural collection and natural history collection.

### 1. Cultural Collection

The purpose of this collection is to increase knowledge and inspiration among present and future generations through exhibits, research, and interpretive programs; support research, resource management, and education; provide baseline data of park cultural resources; document changes these resources are undergoing because of internal park conditions and external effects, and guarantee the protection of information about important objects and resources whose in-situ preservation cannot be assured.

The cultural collection is subdivided into five disciplines: archeology, ethnology, history, art, and archival and manuscript collections. Archeology, ethnology, history, art, and archival disciplines are represented in the MOJA museum collection, with the largest portion made up of the archeology, followed by the history collection. These collections include archeological material, both precontact and historic, collected during pedestrian surveys by park staff, researchers and contractors.



An object from a site or directly associated with person(s) or event(s) commemorated by the park is more desirable than a similar object without such association. Future growth of the collection should be restricted to items related to:

- Interpretive and/or research needs identified in MOJA/CAMO approved planning documents and resource studies.
- Service-wide initiatives if applicable with CAC review.
- Enhancing the understanding of, and promoting increased stewardship of, the park's cultural resources.
- Cultural resources baselines/inventory and monitoring activities.
- Regulatory and compliance activities such as those mandated by the National Historic Preservation Act of 1966, as amended and the Archeological Resources Protection Act of 1979 (ARPA).
- Refer to the Potentially Hazardous Material Appendix for more information.

## A. Archeology Collection

Archeological resources are any material remains or physical evidence of past human life or activities which are of archeological interest, including the record of the effects of human activities on the environment. They can reveal scientific or humanistic information through archeological research ([NPS-28: Cultural Resource Management Guideline](#)). Material remains are “artifacts, objects, specimens, and other physical evidence that are excavated or removed in connection with efforts to locate, evaluate, document, study, preserve, or recover a precontact or historic resource” ([36 CFR 79.4\(a\)\(1\)](#)).

Legal and ethical [standards](#) provide protection for archeological sites and materials. Artifacts found on the surface by NPS staff and visitors outside of an archeological investigation should be left in place; collecting them removes them from their archeological provenience, degrades sites, and can reduce our understanding of the artifacts and their contexts. If archeological materials are collected outside the parameters of an authorized archeological study and brought to park staff, appropriate measures must be taken to ensure that the visitor or staff member collects no more material, that precise provenience information is recorded, when possible, that park cultural resource staff are notified, and that the objects/data are promptly given to the curatorial staff upon receipt by staff members. Parks should develop appropriate standard operating procedure (SOPS), interpretive messages and staff training to prevent this unauthorized collection of materials. Violations under the [Archaeological Resources Protection Act \(ARPA\), 1979](#), should be promptly reported to park law enforcement officers and the Regional Archeologist.

NPS *Management Policies* (2006, section 5.3.5.1) mandates that archeological resources are managed in situ, unless the removal of artifacts or physical disturbance is justified by research, consultation, preservation, protection, or interpretive requirements. “Data recovery actions will be taken only in the context of planning, consultation, and appropriate decision-making . . . conducted within the scope of an approved research design.” Refer to the Research Design Appendix for a more in-depth discussion of research design development within the context of the permitting process.

All projects undertaken within MOJA/CAMO are reviewed for their potential effects to cultural resources through PEPC. Pedestrian surveys are undertaken where deemed necessary, with any new sites documented using high accuracy GPS. Discovered artifacts are left in place except in cases where isolates could be affected by the undertaking, in such cases the artifact is collected. In cases where a proposed undertaking has an Adverse effect to discovered sites, steps will be taken to communicate the effects to projects lead, in hopes of altering the project with preserving the site in mind. If the site cannot be preserved, a salvage excavation will be undertaken prior to completion of the previously proposed undertaking.

Efforts are being made to inventory sites from CAMO using site records from the BLM. Sites are planned to be relocated and have their conditions reassessed for any damages. No collection of artifacts is expected from this project. Another salvage excavation project is underway for a site

that is gradually degrading due to erosion from a road that bisects the site. Artifacts collected from this project are planned to be accessioned.

### Archeology Collection at MOJA/CAMO

The MOJA archeology collection consists of 3,069 objects with no known backlog. A small collection of Civil War era artifacts collected from Fort Piute and Camp Rock Spring were transferred to the park by BLM and the San Bernardino County Museum and are now curated in the museum storage area. Precontact cultural materials have been added to the collections during park pedestrian surveys.

*No archeology collections have been assembled documenting CAMO.*

Mandated acquisitions: Archeological collections, except cultural items (see 43 CFR 10.2) as defined by the Native American Graves Protection and Repatriation Act (NAGPRA), recovered from within park boundaries through systematic collection must be retained in the park's museum collection. [43 CFR 7.13](#), "Custody of Archeological Resources," requires that archeological resources excavated or removed from public lands remain the property of the United States. Archeological material must be of archeological value and interest, including scientific integrity and replicability.

[NPS Management Policies](#) (2006, section 5.3.5.1) mandate that artifacts and specimens recovered from archeological resources, associated records, and reports will be maintained together in the park museum collection.

Collections (artifacts and/or associated records) may result from research or compliance projects, including because of historical research, surveys (phase I), test excavations (phase II), and research or mitigative excavations (phase III). Every archeology project will result in materials for the museum collection; even if artifacts are not collected, project records (both physical and digital) must be accessioned and cataloged into the collection. These records may include field notes and catalogs; daily journals; drawings and maps; spatial data; photographic prints, negatives, and slides; photographic logs; sound recordings; raw data sheets; instrument charts; remote sensing data; collection inventories; analytical study data; conservation treatment records. The museum curator (or collateral duty museum staff) will work cooperatively with the Project Investigator (archeologist responsible for the project) to make certain that these records are complete and preserved. Always retain original documents rather than copies whenever possible.

Should be acquired: Confiscated archeological materials recovered from unauthorized and illegal activities in MOJA/CAMO in violation of ARPA should be acquired. These materials commonly include archeological materials illegally excavated or obtained through uncontrolled surface collecting or excavation by unauthorized individuals within a NPS unit's boundaries. Such objects might be held temporarily by law enforcement following legal chain of custody protocols as evidence if legal action is to be taken but should be formally turned over to museum staff as soon as possible. Museum staff should also be consulted to ensure proper handling and transportation of these materials. Objects resulting from unauthorized and illegal activities in the park may be considered for acquisition, with all associated documentation once all legal

questions are resolved. If an archeologist or related subject matter expert is not on the park CAC, museum staff should request an assessment of the significance of the materials and potential research value.

May be acquired: Surface or diagnostic finds not recovered from systematic excavations, but which have provenience data and are uncommon in the collection and/or suitable for exhibit may be acquired. Collections recovered from within the park before it was created should be considered on a case-by-case basis depending on legal title, provenience data, condition, objects present, size of collection, associated records.

Not to be acquired: The Park should discourage visitors from collecting cultural resource materials from park property. Artifacts with no direct provenience within the park, artifacts which lack data, and artifacts with questionable provenance should not be accessioned into the museum collection. Objects excavated from non-NPS property, potentially hazardous material (see the Potentially Hazardous Material Appendix), and any newly discovered human remains and/or NAGPRA cultural items removed from park lands **should not be accessioned** into the museum collection. Rather, disposition should be addressed through compliance with sections 10.4 through 10.7 of 43 CFR 10 in accordance with the mandated timelines found in 43 CFR 10. See Section III for information about inadvertent discoveries related to NAGPRA.

## B. Ethnology Collection

According to NPS-28, [Cultural Resource Management Guidelines \(Chapter 10\)](#), the ethnology classification is used for resources associated with the cultural systems or ways of life, and the related technology, sites, structures, and natural resources of peoples associated with the park from before the park's establishment. The decision to call resources "ethnographic" depends on whether associated peoples perceive them as traditionally meaningful to their identity as a group and the survival of their lifeways.

There are four ethnographic resource types that have been assigned cultural significance by traditional users which include sites (archeological or historic places), structures (built features), objects (portable materials), and landscapes (areas containing diverse natural and cultural resources). When natural resources acquire meaning according to the different cultural constructs of a particular group, they become ethnographic and thus cultural resources as well. A major goal of ethnographic object collections is to facilitate collaborative relationships between the NPS and the peoples whose customary ways of life affect, and are affected by, park resource management.

The composition of the park's ethnology collection is subject to change as traditionally associated peoples are identified. Associated Native American communities include the Mojave and Chemehuevi with historical associations would be the African American Homesteaders (Lanfair Valley), along with the miners (Mescal Mining District, and Standard Mining District are examples) and historic ranchers (Rock Spring Land and Cattle Company

Ethnographic studies of the park and its resources will generate records including oral histories, journals, photographs, field notes, reports, and other documents associated with ethnographic fieldwork. Because of their documentary nature, these materials shall be included in the museum collection as archives and are described in section II.1.E this SOCS.

#### Ethnology Collection at MOJA/CAMO

The MOJA ethnology collection consists of 14 baskets purchased by the park.

*No ethnology collections have been assembled documenting CAMO.*

Mandated Acquisitions: There are no legal mandates for the Ethnology collection. Please refer to the Archives Resource Management Records section for guidance on records related to ethnographic studies.

Should be acquired: Only ethnographic materials with a direct association with the park, such as from an eminent individual from an affiliated Native American tribe; should be considered on a case-by-case basis. A park's ethnology collection may include archives and media associated with a study.

May be acquired: Ethnographic objects owned or used by an individual or cultural group traditionally associated with, and significant to, the park mandate. The park should carefully consider collections of non-original ethnographic resources which may be related to the existing museum collection or attributed to traditionally associated people of the park/park area.

Not to be acquired: Ethnographic materials from peoples who do not have direct traditional associations to the park.

#### C. History Collection

History collections reflect the spectrum of materials made and/or used during recorded times by humans residing in what today is the United States and its Territories. They include cultural collections that are neither archeological nor ethnological. These collections document individual or community life; social, cultural, political, economic, and technological trends; and events associated with a park's mission, themes, and history. They also may include art, such as paintings and sculpture, and rare books.

Some history collections reflect activities of well-known individuals, others evidence everyday life and actions of working-class people. Documenting and interpreting historical objects to the public in the context of their original settings enhances the public's understanding. For more in-depth discussion of history collections, see [Museum Handbook II, Appendix G](#).

#### History Collection at MOJA/CAMO

The MOJA history collections consist of 541 objects associated with MOJAs civil war era forts, cattle and ranching, transportation corridor and homesteading history. Additional historic

materials, currently managed by the BLM, may be housed at the San Bernardino County Museum or BLM offices.

*No history collections have been assembled documenting CAMO.*

Mandated Acquisitions: There are no legal mandates for the History Collection.

Should be acquired: Only historic material with a direct association to the park is to be included in the museum collection. When a large quantity of an object type is available, priority should be given to acquiring the best-preserved examples. The history collection is based on the park's themes used to establish the following collecting categories: mining, ranching, railroading in the Mojave, community of Kelso and homesteading. Not listed as an interpretive theme, but should be, the non-conforming characters and activities that make the Mojave home and the ability of the desert to accommodate them.

To date, no museum collections have been assembled documenting CAMO history.

Future collections activity in this area will concentrate on the acquisition of outstanding examples of objects currently not represented in the collection, which meet the criteria referenced above and clearly address a resource management, interpretive, or research deficiency noted in park documents, thus ensuring that the history collection is relevant to the needs of the park.

May be acquired: MOJA will not generally accession period pieces and reproduction in the museum collection. Period pieces and reproductions are managed as non-museum property. Evaluation of this type of object will be added to museum collections only upon a CAC evaluation of its purpose and its cultural, educational, aesthetic, historic, monetary or scientific value to the park.

Rare books retained for their physical properties or associative value may be acquired into the park's museum collection. Books should never be added to the museum collection simply because they are perceived as old, rare, or valuable. A librarian/rare book specialist may be consulted to determine criteria for acquiring rare books for addition to the museum collections and approval through CAC review.

The park's history collection lacks depth, and would benefit from the addition of oral histories, archival material and historic photographs to the archives, along with objects associated with all of the park's themes and important people. Much of the historic cultural heritage of the Preserve's history is currently curated at the Mojave Desert Heritage and Cultural Association facility at Goffs, California.

Not to be acquired: Objects without a direct association to the park's resources. Objects that duplicate current holdings or objects in such poor condition that they are beyond conservation. Objects that are inherently unstable which causes the item to deteriorate or destroy

itself. Potentially hazardous materials, except on a case-by-case basis. See the Hazards in the Collection Appendix for more information.

#### D. Art Collection

Art collections generally consist of paintings, drawings, prints, and sculptures admired and appreciated primarily or solely for aesthetic or intellectual content. Although created primarily for utilitarian or decorative purposes rather than aesthetics, the artistry and skill of many folk artists is now recognized, and folk art is sometimes considered within art collections. Although most artists in parks work independently, the NPS may commission artists to create works of art inspired by a specific park or resource.

##### Art Collection at MOJA/CAMO

The MOJA collection consists of one piece of framed artwork. Created by an artist who once owned inholding property within the preserve.

*No art collections have been assembled documenting CAMO.*

Mandated acquisitions: There are no legal mandates for the art collection.

Should be acquired: Art that is directly associated with the park and/or significant people/events related to the park's enabling legislation should be acquired. Proposed acquisitions must be evaluated by the CAC on a case-by-case basis against existing collections and the park's mission and resources.

May be acquired: Works commissioned by the NPS for specific park purposes, such as exhibitions, illustrations, education, or interpretation may be acquired. Note that contracts commissioning works of art should include language transferring copyright to the NPS.

Not to be acquired: Art with undocumented provenance and no clear title; "office art" or reproductions (posters, prints, and similar mass-produced copies); artwork with no direct association of past ownership, subject, or artist, to the park. NOTE: the NPS Commissioned Art Collection is not managed as a museum collection, but as Federal Property.

Objects in such poor condition that they are beyond conservation. Objects that are inherently unstable which causes them to deteriorate or destroy themselves.

#### E. Archives Collections

For the NPS, the term "archives" or "archival collections" refers to permanently valuable documents or records providing information about a place, institution, or group of people.

From the [Museum Handbook I, CH 1, pg. 11](#): Other than resource management records, Federal records should not be included in the museum collection without specific authorization from the National Archives and Records Administration (NARA). These records are the original or "record copy" documents created or received in the course of performing the daily work of the

NPS. Examples of records that do not belong in the museum collection include audit records, budget materials, central files, contracting files, financial records, law enforcement records, legal records, museum and project administrative records, permits, personnel records, and superintendent's correspondence files.

Potential MOJA archives include approximately 10 LF of grazing records and photographs of archeological sites and historic preservation from the BLM era. These collections are unsurveyed and unprocessed.

*No archival collections have been assembled documenting CAMO.*

#### a. Manuscript Collections at MOJA/CAMO

The term “manuscripts” commonly refers to single documents or collections of documents created by organizations (“organizational records”), businesses (“corporate archives”), and individuals or families (“personal papers”). In NPS museum collections, manuscript collections are primarily donated by individuals, organizations, or families and may include letters between family members, ledgers from family businesses, and photographs documenting the family's history.

Manuscript collections, or donated collections, are not “park Federal records” and should always be maintained and cataloged separately from resource management record collections. They are not subject to the Federal Records Act (FRA), Freedom of Information Act (FOIA), or other laws governing federal records access. Donated collections may be protected by copyright or other restrictions, and the NPS may hold copyrights for donated materials.

Mandated Acquisitions: There are no legal mandates for manuscript collections.

Should be acquired: Manuscript collections should be acquired, but proposed acquisitions must be evaluated by the CAC on a case-by-case basis against existing collections and the park's mission and resources.

Materials associated with Zyzzyx, the Kelso community, and MOJA/CAMO mining, ranching, homesteading as they become available.

May be acquired: Manuscript collections may be acquired, but proposed acquisitions must be evaluated by the CAC on a case-by-case basis against existing collections and the park's mission and resources.

Not to be acquired: Photocopies or scans of diaries, letters, historic photos, etc. from personal collections or other repositories are more appropriately library “vertical files” or interpretive use collections and will not be acquired for the museum collection. General “family vacation” images from members of the public and employee personal photos unrelated to the park will not be acquired. Digital copies of analog photos or documents already in the collection created for

access and use, and general transportation/railroad history will not be added to the museum archives.

#### b. Resource Management Records in the Archival Collections at MOJA/CAMO

Resource Management Records (RMR) document the management of natural and cultural resources, and park lands which must be [preserved in perpetuity](#). Using professional discretion, knowledge of park resource management, and working with an NPS archivist (park, regional office, WASO), determine how they support the management of the resources, and if they are active records.

Associated records are Resource Management Records that document and provide context for museum objects, specimens, and samples. Some associated records are specifically mandated by laws and regulations that govern how we manage archeological, biological, and paleontological collections.

For archeology: [Archaeological Resources Protection Act](#) (ARPA), specific reference to retention of associated records found here: [US Code Title 16, 470cc](#). And [36 CFR 79](#) which are regulations associated with undertakings associated with the Antiquities Act, Reservoir Salvage Act, the National Historic Preservation Act, and ARPA.

For biology: [Management Policies 2006 \(nps.gov\)](#) and [36 CFR 2.5](#)

For paleontology: [16 USC 470aaa-1: Management \(house.gov\)](#)

Resource Management Records (RMR) are federal records subject to the Federal Records Act (FRA), Freedom of Information Act (FOIA), or other laws governing federal records access. Although records created by government employees are in the public domain, records within the park archives created by others may be subject to copyright or other legal restrictions. A compelling reason would be needed to accept copyrighted formats.

A records survey has not been completed for either of the units. Several boxes of archeological documentation from the BLM era have been assembled for processing along with unappraised files on grazing. A small number of research permit deliverables are likely in staff files.

*No records have been produced to date on CAMO resource documentation and management.*

Mandated Collections: Records associated with collections made through permitted activities associated with ARPA, and Paleontology Resources Preservation Act of 2009 (PRPA) are mandated by these laws to be retained.

Should be Acquired: Resource management and lands records should be acquired regardless of format. Examples might be research permit deliverables, inactive records in park natural or cultural resources program offices, records related to park land ownership, easements, or minerals management, and data and other project records from specific park resource management projects that may not be issued permits.

May be Acquired: The *NPS Service-wide Record Schedule (SRS)* and the *NPS Records and Electronic Information Management (REIM Guide)* identify additional records that have enduring value to both the NPS and NARA. These records are not RMR or archives, but a very small set of park records related to protection and safety, wildfire management, park facilities management.

The CAC should review resource, lands, and other management related permanent records in the SRS and REIM Guide, as part of the parks file official planning for disposition of its records and determine if any will be acquired for the museum collection or if all materials will be sent to federal records centers (FRC). When the park finalizes its file plan this decision will be documented in an updated SOS. The CAC's recommendation will identify those permanent records which fall within the SOCS here as "may be acquired" archives. Describe those permanent records that the CAC determines should be sent to FRC in the "Not to be Acquired" section below.

Not to be Acquired: Museum records including but not limited to accession book, accession files, catalog records and databases, catalog folders, annual inventories, images/scans documenting objects/specimens, and object conservation condition and treatment reports must be permanently retained but are not accessioned into the collection.

## **2. Natural History Collection**

The unit maintains a small number of natural history collections including those collected by park staff and also systematically collected herbarium specimens, paleontological, geologic samples and specimens collected by staff and as a result of science/research permits.

The purpose of MOJA & CAMO natural history collections are to support scientific research, resource management and education; provide baseline data of the park's natural resources; document changes these resources are undergoing because of internal park conditions and external effects; preserve important or locally significant species collected in response to specific research or interpretive needs; and guarantee the protection of important paleontological specimens.

Future growth of the collection is restricted to specimens and associated records generated through authorized, systematic scholarly research and selective acquisition based on:

- Needs identified in MOJA & CAMOs enabling legislation or presidential declaration, approved planning documents and resource studies.
- Service-wide initiatives.
- Interpretive needs identified in planning documents.
- Enhancing the understanding and promoting increased stewardship of the park's natural resources.
- Natural resource baselines, inventorying, and monitoring activities.

- Regulatory and compliance activities such as those mandated by the National Environmental Policy Act of 1970.

All collecting activities must be in compliance with [36 CFR 2.5](#), [the Research Permitting and Reporting System \(RPRS\)](#), NPS Management Policies (2006, section 4.2.3), *Director's Order #77: Natural Resource Protection* (under development), and *NPS Natural Resources Management Guideline* (1991). Please see Appendix G: Permits for more information.

Uncontrolled surface collecting by visitors or park staff is illegal according to the *Code of Federal Regulations, Title 36, Volume I* (36 CFR 2.1). Specimens found on the surface should not be removed from their original location by the finder; they should be reported to park staff delegated with museum collection responsibilities. If materials are turned in to the park, standard NPS policies and procedures must be followed to ensure that the finder collects no more material, the precise provenience information is recorded, if possible, and the subject specimens and data are delivered promptly to the park. Unless the items are determined to be significant by a subject-matter expert in the respective discipline (biology, geology, or paleontology), they should not be cataloged into the park's museum collection.

MOJA/CAMO acquires natural history collections through internal NPS projects and outside permitted research projects conducted by researchers within park boundaries. Collections associated with research permits are accessioned and cataloged. NPS projects conducted without a research permit are subject to the same laws and policies as those with a permit.

Acquisitions and future growth of MOJA/CAMO's natural history collection are initiated by park staff or outside researchers and will be restricted to specimens and associated records divided into three disciplines: biology, geology, and paleontology.

The preserve encompasses mountain ranges, sand dunes, creosote flats, great mesas, extinct volcanoes, and desert basin and range. The variety of relatively intact habitats support species unique to the Mojave Desert. Half of the park's acreage is designated as critical habitat for the federally listed threatened desert tortoise.

#### A. Biology Collection

Museum collections serve as the verifiable and reproducible evidence of a scientific study. Therefore, their collection and long-term preservation is a crucial aspect of ensuring scientific integrity.

Biological resources are plants and animals which live within, migrate through, or otherwise make use of a park. These include all species belonging to all five of the commonly recognized kingdoms of living things, such as flowering plants, ferns, mosses, lichens, algae, bacteria, mammals, birds, reptiles, amphibians, fishes, insects, worms, crustaceans, and microscopic plants and animals. These biological resources can be either native or exotic.

Biological collections include specimens (or parts thereof) from plants and animals and their associated records. Copies of records created during biological research are retained, at the

discretion of the park, as part of the museum collection, regardless of specimen collection. These collections document the non-human biology of the park at a given time and place. When researchers make observations about the park environment, they often collect voucher specimens to testify to their observations. If these specimens are not destroyed or consumed in analysis, they may become part of the park's museum collection as determined during the permitting process. The NPS has an ongoing program to inventory and monitor living resources in the park that generates many specimens for the museum collections. Over time, NPS biological collections can help document changes in the park environment and changes in species, thus helping to inform park planning, natural resource management, cultural landscape management, and interpretive programs.

Examples of biological collections may include:

- Animal skins
- Skeletal material
- DNA samples and other viable samples (blood)
- Tissue samples
- Marine and freshwater shells
- Pinned insects
- Pressed plants
- Tree cores
- Casts of animal tracks
- Specimens or other collected material that results in derivatives that may be patentable or otherwise protected under the intellectual property (IP) laws.

### Biological Resources at MOJA/CAMO

MOJA and CAMO have diverse biological resources and much remains to be learned about lesser studied taxa and habitats within the park, as well as impacts of anthropogenic and natural processes.

The biological collection for MOJA currently consists of approximately 5,000 specimens. A small number of specimens are housed within the MOJA storage room with the majority under loan agreements with non-bureau repositories. Collections of reptiles, birds and insects are stored at the Natural History Museum of Los Angeles, Bohart Museum of Entomology, Yale Peabody Museum of Natural History, Dan Diego National History Museum, and the University of California Riverside Entomology Research Museum.

An unknown number of backlogged herbarium specimens are stored at the University of California's Sweeney Granite Mountain Research Center.

*No collections have been received into the museum collections representing CAMO inventoried species. Herbarium specimens from CAMO lands are currently being collected by MOJA park staff, but it is undetermined if the material is to be added to the museum collections or if it will remain a reference collection.*

Mandated acquisitions: Specimens and samples obtained for preservation during inventory, monitoring, research, and study projects, together with associated records, must be acquired. Collecting of animal specimens will be associated with needs identified in the Resource Management Plan/Resource Stewardship Strategy or approved I&M plans, or as needed to voucher research projects. All approved study plans will limit collected specimens to what has been determined as a sufficient number of examples. Threatened and endangered (T&E) specimens should not be added unless (1) accidental death occurs or (2) if researchers comply with all legal restrictions regarding protected species, including all Federal, State, and other permitting requirements for all proposed collections.

Should be acquired: Specimens and samples documenting baseline inventories and climate change research initiatives. These needs are identified in RPRS under the park research needs. Remainder samples and specimens not wholly destroyed during analyses that retain scientific value and potential for further testing remain Federal property and must be returned to the park by research permit holders. Additional systematically collected herbarium specimens representing MOJA flora would round out the herbarium holdings.

Mojave I & M protocols call for observational data gathering but not specimen collections and physical collections are not expected through the program.

May be acquired: Taxidermy specimens with strong provenance to the park (particularly extirpated species) may be acquired. Although taxidermy specimens are traditionally considered more for exhibit or public education purposes, new technologies are proving that these specimens can have scientific value. Therefore, such specimens should be evaluated on a case-by-case basis considering provenance, condition, rarity, and other relevant factors. Specimens prepared prior to the 1990s may be contaminated with arsenic or heavy metals. Never use taxidermy mounts or study skins in hands-on demonstrations, particularly with children. For future potential gifts of taxidermy specimens, the donor should bear the responsibility to test the specimen for harmful materials prior to NPS consideration. For more information on health hazards in collections, see Potential Hazards in Collections Appendix below.

Reproductions, such as casts or molds of a specimen, may be acquired if they are the only remaining evidence of the original specimen. See [NPS Museum Handbook, Appendix N](#) for more information about evaluating the accession of reproductions.

Not to be acquired: Biological specimens collected outside the park's boundaries will not be accessioned into the museum collection. Scientific specimens lacking provenience documentation, lacking scientific value, in poor condition or which were not prepared to professional standards, and species for which the MOJA/CAMO museum collection already has a representative sample are not to be acquired. Specimens specifically collected as a type or reference collection, e.g., for fire management programs that are used in the field, heavily used, etc., are not to be collected.

Living specimens are not to be acquired for the museum collection. Nor is ICMS or its successor to be used to inventory or document living collections.

## B. Geology Collections

NPS *Management Policies* (2006, section 4.8) describes geologic resources as both geologic features and processes. “Geologic processes” are the natural physical and chemical forces acting with natural systems and human developments across a broad spectrum of space and time. Examples include: exfoliation, erosion, sedimentation, glaciation, karst processes, shoreline processes, and seismic and volcanic activity. “Geologic features” are the products and physical components of geologic processes. NPS *Management Policies* ([2006, section 4.8](#)) requires the NPS to preserve and protect geologic resources and geologic features as integral components of park natural systems.

As described in the NPS [Museum Handbook, Part II \(2012\)](#), geological collections inform park planning and development, natural and cultural resources management, and interpretation.

### Geological Resources at MOJA/CAMO

Geologic processes are a major part of MOJA/CAMO formation, development, and management and should be well represented in the museum collection by specimens and associated records.

The geology of MOJA is represented by 17 hand specimens collected by the unit’s former physical scientist.

*No geology specimens have been retained representing CAMO resources.*

Mandated acquisitions: Specimens and samples obtained for preservation during inventory, monitoring, research, and study projects, together with associated records. Remainder samples and specimens not wholly destroyed during analyses that retain scientific value and potential for further testing remain Federal property and must be returned to the park.

Should be acquired: Specimens should only be collected if they are needed for scientific research.

May be acquired: Surface or isolated finds, specimens collected in the park illegally that are returned to the park, and specimens collected before the park was established should be evaluated on a case-by-case basis considering factors such as legal title, importance or rarity of the specimen, presence of existing specimens in the museum collection, condition, available provenience, and associated geologic data.

Not to be acquired: Specimens and samples from outside the park’s boundaries. Specimens and samples lacking provenience documentation are not to be acquired. Rock hounding (amateur collecting of specimens) is prohibited in most national parks by 36 CFR 2.1(a); specimens collected without research permits after the park was established should be referred to appropriate law enforcement officials.

### C. Paleontology Collections

The [Paleontological Resources Preservation Act \(Public Law 111-011\) \(PRPA\)](#) defines a paleontological resource as “any fossilized remains, traces, or imprints of organisms, preserved in or on the earth’s crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include— (A) any materials associated with an archaeological resource (as defined in section 3(1) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb(1)); or (B) any cultural items (see 43 CFR 10.2) as defined by the Native American Graves Protection and Repatriation Act (NAGPRA). The law requires that both the paleontological resource and copies of associated records be preserved for the public in an approved repository, to be made available for scientific research and public education.

PRPA requires that paleontological resources collected on federal land remain the property of the United States and that the paleontological resource and copies of associated records will be preserved for the public and made available for scientific research and public education. The law requires curation of these resources, stating “Any paleontological resource, and any data and records associated with the resource, collected under a permit, shall be deposited in an approved repository.”

Uncontrolled surface collecting by visitors and park staff is prohibited. Fossils found on the surface by visitors should not be removed from their original location by the finder, but rather promptly reported to park staff. If visitors or staff collect a fossil illegally, the object and location data should be promptly given to the museum curator upon receipt by staff members. Identify if molds, casts, and other reproductions such as 3D scans or prints, exist. See [NPS Museum Handbook, Appendix N](#) for more information about evaluating the accession of reproductions. These are made from fossils to share information with other researchers, preserve a specimen in situ before disarticulation, or make surface details clearer for black and white photography.

Reproductions, such as casts or molds of a previously collected specimen, may be acquired if they are the only remaining evidence of the original specimen, a portion of a fossil that is now missing due to consumption by destructive analysis, or serve as a record of steps in the preparation process wherein they act to preserve taphonomic information or other important data which has been destroyed by the preparation process. 3D digital files should be preserved as you would digital photographs within an archive or other appropriate digital repository.

#### Paleontology Resources at MOJA/CAMO

The paleontological resource inventory at MOJA has documented rich and previously unrecognized paleontological resources. The paleontological inventory resource report captures the scope, significance, and distribution of fossils at MOJA as well as provides recommendations to support the management and protection of the preserve’s non-renewable paleontological resources. Paleontological resource areas include Summit Spring, Clark Mountain, and the Cowhole Mountains.

Fossils found in a cultural context should be documented like other fossils but will also require the input of an archeologist or a cultural resource specialist. Any fossil which has a cultural context may be culturally sensitive as well (i.e., subject to NAGPRA) and should be regarded as such until otherwise established. .

The MOJA paleontology collection consists of 128 trilobite specimens collected in the Providence Mountains, at Summit Spring. Other fossils from within the MOJA boundary were collected while under BLM management.

*The rock formations expressed in CAMO are not fossiliferous; all rock formations are igneous and metamorphic. Therefore, there are no known paleontology resources in CAMO.*

Mandated acquisitions: Fossil plant, vertebrate, invertebrate, or trace specimens and associated records generated through systematic surveys or excavations undertaken within the park boundaries; high\_fidelity\_casts made from the molds of trace or body fossils left in situ; and scientifically significant paleontological resources, together with their associated records. Remainder samples and specimens not wholly destroyed during analyses that retain scientific value and potential for further testing must be acquired into the museum collection.

Should be acquired: All NPS construction projects in areas with potential paleontological resources must be preceded by a preconstruction surface assessment prior to disturbance. For any occurrences noted, or when the site may yield paleontological resources, the site will be avoided or the resources will, if necessary, be collected and properly cared for before construction begins. NPS 2006 MP 4.8.2.1.

May be acquired: Confiscated paleontological materials recovered from unauthorized and illegal activities in MOJA/CAMO in violation of PRPA may be acquired. These materials commonly include paleontological materials illegally excavated or obtained through uncontrolled surface collecting by unauthorized individuals within an NPS unit's boundaries. When such collections are encountered, law enforcement and museum staff should be consulted as soon as possible to ensure proper accountability, handling, and transportation of these materials. Such objects might be held temporarily by law enforcement following legal chain of custody protocols as evidence if legal action is to be taken but should be formally turned over to the museum staff person as soon as possible. Once all legal questions are resolved, the objects and all associated documentation should be added to the park's collection after review by CAC and Superintendent Approval.

Parks should generally avoid purchasing fossils, or at least referencing this criterion may be found in the management policies: A park may purchase fossil specimens for the park museum collection only after making a written determination that the specimens are scientifically significant and accompanied by detailed locality data and pertinent contextual data; the specimens were legally removed from their site of origin, and all transfers of ownership have been legal; the preparation of the specimens meets professional standards; the alternatives for making these specimens available to science and the public are unlikely; and acquisition is consistent with the park's enabling legislation and scope of collection statement, and acquisition

will ensure the specimens' availability in perpetuity for public education and scientific research. NPS 2006 MP 4.8.2.1

Specimens collected before the park was established and specimens collected in the park illegally that are returned to the park should be evaluated on a case-by-case basis, considering factors such as legal title, association with historical figures, importance, or rarity of the specimen, condition, available provenience and associated geologic data.

Presence of existing paleontology specimens of the same species in the museum collection should not disqualify a specimen from being added to the collection because of the probability of species variation between multiple fossils of the same species.

Reproductions, such as casts or molds of a previously collected specimen, may be acquired if they are the only remaining evidence of the original specimen. See [NPS Museum Handbook, Appendix N](#) for more information about evaluating the accession of reproductions.

Not to be acquired: Fossils from outside the park's boundaries; fossils lacking provenience documentation; and purchased specimens, unless they are originally from the park but acquired before it was a park, are not to be acquired.

### **III. PARK MUSEUM COLLECTIONS SUBJECT TO THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT OF 1990 (NAGPRA)**

The Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001-13) and implementing regulations (43 CFR Part 10), requires Federal agencies and institutions that receive Federal funding (including museums, universities, state agencies, and local governments) to protect and repatriate Native American human remains and cultural items to lineal descendants, Indian Tribes, and Native Hawaiian organizations. Items in the possession or control of the NPS identified as subject to NAGPRA must be addressed in accordance with 43 CFR 10. The regulations require:

- Consultation with deference given to the Native American traditional knowledge of lineal descendants, Indian Tribes, and Native Hawaiian organizations;
- Address disposition of any newly discovered Native American human remains or cultural items removed from federal lands and any Native American human remains and cultural items in NPS possession or control removed from federal lands after the enactment of NAGPRA on November 16, 1990 in accordance with 43 CFR 10.7;
- Identification of all Native American human remains and cultural items in NPS possession or control removed from federal lands prior to the enactment of NAGPRA;
- Development of NAGPRA inventories or summaries in compliance with 43 CFR 10.9 and 10.10 to facilitate consultation and eventual repatriation of Native American human remains and cultural items removed from federal lands prior to the enactment of NAGPRA.

NPS policy and guidance for NAGPRA compliance can be found on the NPS [NAGPRA Guidance](#) SharePoint where more detailed information is available to address the following:

- Duty of Care (43 CFR 10.1(d)) which requires the NPS to care for, safeguard, and preserve human remains and cultural items in its custody, possession, or control;
- Steps to complete disposition of human remains and cultural items removed from federal lands after the enactment of NAGPRA (43 CFR 10.4 through 10.7);
- Steps to complete summaries and repatriation of unassociated funerary objects, sacred objects, and objects of cultural patrimony removed from federal lands prior to the enactment of NAGPRA (43 CFR 10.9);
- Steps to complete inventories and repatriation of Native American human remains and associated funerary objects removed from federal lands prior to the enactment of NAGPRA (43 CFR 10.10);
- Consultation with lineal descendants, Indian Tribes, and Native Hawaiian organizations;
- Determining cultural affiliation (43 CFR 10.3);
- Developing and publishing a Notice of Intended Disposition (NID) - 43 CFR 10.7(c)(2), a Notice of Intended Repatriation (NIR) - 43 CFR 10.9(f), and a Notice of Inventory Completion (NIC) - 43 CFR 10.10(e);
- Evaluating requests for repatriation (43 CFR 10.9(d) and 10.10(f)) or claims for disposition (43 CFR 10.7(c)(3)) of human remains and cultural item; and
- Developing and maintaining a record of consultation.

Any newly discovered human remains and/or NAGPRA cultural items removed from park lands **should not be accessioned** into the museum collection. Rather, disposition should be addressed through compliance with sections 10.4 through 10.7 of 43 CFR 10 in accordance with the mandated timelines found in 43 CFR 10.>

No known human remains, or associated objects are documented in the MOJA/CAMO museum collections, although a systematic survey has not been conducted.

## IV. ACQUISITIONS

### 1. Acquisition Criteria

The acquisition and deaccession of museum objects is governed by the park's ability to manage and preserve materials according to *NPS Management Policies, Chapter 5* (2006), the standards for managing museum objects in *NPS-28: Cultural Resources Management Guideline* (1998); *the NPS Checklist for Preservation and Protection of Museum Collections (Checklist)*; and the *NPS Museum Handbook I-III*.

MOJA/CAMO may continue to acquire objects that relate to the site through donation, purchase, exchange, transfer, field collection, and loan.

In accordance with NPS policy and general museum practice, only unrestricted gifts should be accepted. Only the regional director can allow an exception to this rule. Gifts or bequests must be free of restrictions as to their use and future disposition. However, museum collections are subject to legal restrictions, such as privacy laws and classified data. Refer to the MH-III, Chapter 2: Legal Issues, for information on use and access restrictions.

Museum objects must be acquired, accessioned, and cataloged in accordance with the *NPS Museum Handbook, Part II* (2000).

Firearms and ammunition, acquired for museum exhibits and research purposes, are not intended for use as operational firearms. The NPS standards for managing, use, and disposal of museum objects are outlined in the *NPS Museum Handbook Parts I, II, and Appendix X: Museum Firearms, Small Arms Ammunition, Artillery, and Munitions*, and *NPS-28, Cultural Resources Management Guideline, as well as the Draft (still under review)*.

## **2. Roles and Responsibilities for Accessioning and Deaccessioning**

### Accountable Officer

The Park's Superintendent, by delegation, represents the Director of the National Park Service and the Secretary of the Interior in accepting title to and responsibility for all museum objects. The Superintendent bears the ultimate responsibility for the acquisition, proper care, and management of the unit's museum collection. The Superintendent has delegated the day-to-day care of the collection to the custodial officer for museum collections. This designation must be made in writing.

All permanent acquisitions must receive formal approval from the Park's Superintendent before they can be accepted into the museum collection. Before physical receipt of the acquisition, all paperwork, including the Deed of Gift, must be signed by both the park and the donor. Upon receipt, all newly acquired objects and related documentation must be turned over to the Receiving Officer. The Curator, or Custodial Officer, prepares, for the Superintendent's signature, all instruments of conveyance, and letters of thanks, acceptance, or rejection, and transmits them as appropriate to the donor, lender, vendor, or other sources of acquisition.

The Superintendent, as the accountable officer, also must approve all incoming loans, which are considered temporary acquisitions, and is the final signatory for all loan documentation.

### Custodial Officer

The custodial officer is directly accountable and responsible for the physical care and documentation of the museum collection. The custodial officer, usually the curator or other museum staff (including collateral duty), provides oversight of the museum collection, as delegated by the Accountable Officer. In the absence of those positions, it may be assigned as a collateral duty to an employee in a different job series.

The JOTR Museum Curator is the Curator-of-Record / Designated Custodial Property Officer for MOJA/CAMO museum property under an agreement between JOTR and MOJA/CAMO specifying this designation.

#### Designated Receiving Officer

The Superintendent appoints, in writing, the Receiving Officer for the museum collection.

The Receiving Officer is responsible for documenting the receipt of museum collections. The Receiving Officer can be one of the museum staff or a staff member from another program/division.

The Receiving Officer signs the Accession Receiving Report (Form 10-95), the Receipt for Property (DI-105), and any other receipts for museum property. The Custodial Officer cannot serve as the Receiving Officer, nor can the Superintendent.

#### Collections Advisory Committee

The Collections Advisory Committee (CAC) reviews the appropriateness of the proposed accession or deaccession and its disposition.

Since 2017, all parks are required to establish a CAC. A CAC is required to review all proposed new accessions other than scientifically generated archeological and natural history field collections and their associated records from NPS-administered land. The CAC should also review any miscellaneous items “found in collection.” See *Museum Handbook*, Part II, Chapter 2 for types of accessions and their definitions.

Park-specific CACs shall be established based on the guidelines for deaccessioning committees in the [Museum Handbook, Part II, Chapter 6](#) and [Appendix B](#). The CAC must include at least one member at the GS-1015-11 grade or higher, must include at least three members, and must make recommendations in writing. <If your region has additional requirements regarding the composition of the CAC, state that here>

## **V. MANAGEMENT ACTIONS**

Acquisition and deaccession decisions are guided by the NPS *Museum Handbook*, strategic collecting directions outlined in this SOCS, and the following management actions:

MOJA and CAMO continue to acquire objects that relate to the site through donation, purchase, exchange, transfer, field collection, and loan.

As stated in the [Museum Handbook I, chapter 2, section J: Writing the Management Actions section](#), SOCS will be reviewed and updated at least every five-years, but can be updated more often whenever changed conditions clearly alter the mission of the park or when priorities in a specific collecting category have been met. Changes must be approved by the superintendent.

- CAC will be reviewed and updated to fill vacancies as needed.
- MOJA will conduct a self-study of its museum collections beginning in 2023 and will prioritize the cataloged objects on exhibit as furnishings in the Kelso Depot for future deaccessioning.
- MOJA will establish a process/procedure to identify, process, and potentially acquire archives in conjunction with park records management practices and procedures.

**Appendix A: Legislation**

PUBLIC LAW 103-433—OCT. 31, 1994, 108 STAT. 4471  
Public Law 103-433 103d Congress

An Act

To designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks, to establish the Mojave National Preserve, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. SHORT TITLE.**

Sections 1 and 2, and titles I through IX of this Act may be cited as the "California Desert Protection Act of 1994".

**SEC. 2. FINDINGS AND POLICY.**

(a) The Congress finds and declares that—

- (1) the federally owned desert lands of southern California constitute a public wildland resource of extraordinary and inestimable value for this and future generations;
- (2) these desert wildlands display unique scenic, historical, archeological, environmental, ecological, wildlife, cultural, scientific, educational, and recreational values used and enjoyed by millions of Americans for hiking and camping, scientific study and scenic appreciation;
- (3) the public land resources of the California desert now face and are increasingly threatened by adverse pressures which would impair, dilute, and destroy their public and natural values;
- (4) the California desert, embracing wilderness lands, units of the National Park System, other Federal lands, State parks and other State lands, and private lands, constitutes a cohesive unit posing unique and difficult resource protection and management challenges;
- (5) through designation of national monuments by Presidential proclamation, through enactment of general public land statutes (including section 601 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2743, 43 U.S.C. 1701 et seq.) and through interim administrative actions, the Federal Government has begun the process of appropriately providing for protection of the significant resources of the public lands in the California desert; and
- (6) statutory land unit designations are needed to afford the full protection which the resources and public land values of the California desert merit.

(b) In order to secure for the American people of this and future generations an enduring heritage of wilderness, national parks, and public land values in the California desert, it is hereby declared to be the policy of the Congress that—

- (1) appropriate public lands in the California desert shall be included within the National Park System and the National Wilderness Preservation System, in order to—
  - (A) preserve unrivaled scenic, geologic, and wildlife values associated with these unique natural landscapes;
  - (B) perpetuate in their natural state significant and diverse ecosystems of the California

desert;

(C) protect and preserve historical and cultural values of the California desert associated with ancient Indian cultures, patterns of western exploration and settlement, and sites exemplifying the mining, ranching and railroading history of the Old West;

(D) provide opportunities for compatible outdoor public recreation, protect and interpret ecological and geological features and historic, paleontological, and archeological sites, maintain wilderness resource values, and promote public understanding and appreciation of the California desert; and

(E) retain and enhance opportunities for scientific research in undisturbed ecosystems.

## TITLE V—MO JAVE NATIONAL PRESERVE

### SEC. 501. FINDINGS.

The Congress hereby finds that—

(1) Death Valley and Joshua Tree National Parks, as established by this Act, protect unique and superlative desert resources, but do not embrace the particular ecosystems and transitional desert type found in the Mojave Desert area lying between them on public lands now afforded only impermanent administrative designation as a national scenic area;

(2) the Mojave Desert area possesses outstanding natural, cultural, historical, and recreational values meriting statutory designation and recognition as a unit of the National Park System;

(3) the Mojave Desert area should be afforded full recognition and statutory protection as a national preserve;

(4) the wilderness within the Mojave Desert should receive maximum statutory protection by designation pursuant to the Wilderness Act; and

(5) the Mojave Desert area provides an outstanding opportunity to develop services, programs, accommodations and facilities to ensure the use and enjoyment of the area by individuals with disabilities, consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101-336, the Americans With Disabilities Act of 1990 (42 U.S.C. 12101), and other, appropriate laws and regulations.

### SEC. 502. ESTABLISHMENT OF THE MOJAVE NATIONAL PRESERVE.

There is hereby established the Mojave National Preserve, comprising approximately one million four hundred nineteen thousand eight hundred acres, as generally depicted on a map entitled "Mojave National Park Boundary—Proposed", dated May 17, 1994, which shall be on file and available for inspection in the appropriate offices of the Director of the National Park Service, Department of the Interior.

### SEC. 503. TRANSFER OF LANDS.

Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 502 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service. The boundaries of the public lands shall be adjusted accordingly.

### SEC. 504. MAPS AND LEGAL DESCRIPTION.

Within six months after the date of enactment of this title, the Secretary shall file maps and a legal description of the preserve designated under this title with the Committee on Energy

and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 502. The maps and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

#### SEC. 505. ABOLISHMENT OF SCENIC AREA.

The East Mojave National Scenic Area, designated on January 13, 1981 (46 FR 3994), and modified on August 9, 1983 (48 FR 36210), is hereby abolished.

#### SEC. 506. ADMINISTRATION OF LANDS.

(a) The Secretary shall administer the preserve in accordance with this title and with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2 -4).

(b) The Secretary shall permit hunting, fishing, and trapping on lands and waters within the preserve designated by this Act in accordance with applicable Federal and State laws except that the Secretary may designate areas where, and establish periods when, no hunting, fishing, or trapping will be permitted for reasons of public safety, administration, or compliance with provisions of applicable law. Except in emergencies, regulations closing areas to hunting, fishing, or trapping pursuant to this subsection shall be put into effect only after consultation with the appropriate State agency having responsibility for fish and wildlife. Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the States with respect to fish and wildlife on Federal lands and waters covered by this title nor shall anything in this Act be construed as authorizing the Secretary concerned to require a Federal permit to hunt, fish, or trap on Federal lands and waters covered by this title.

#### SEC. 507. WITHDRAWAL.

Subject to valid existing rights, all Federal lands within the preserve are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

#### SEC. 508. REGULATION OF MINING.

Subject to valid existing rights, all mining claims located within the preserve shall be subject to all applicable laws and regulations applicable to mining within units of the National Park System, including the Mining in the Parks Act (16 U.S.C. 1901 et seq.), and any patent issued after the date of enactment of this title shall convey title only to the minerals together with the right to use the surface of lands for mining purposes, subject to such laws and regulations.

#### SEC. 509. STUDY AS TO VALIDITY OF MINING CLAIMS.

(a) The Secretary shall not approve any plan of operation prior to determining the validity of

the unpatented mining claims, mill sites, and tunnel sites affected by such plan within the preserve and shall submit to Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands.

(b)(1) Notwithstanding any other provision of law, the Secretary shall permit the holder or holders of mining claims identified on the records of the Bureau of Land Management as Volco #A CAMC 105446, Volco #B CAMC 105447, Volco 1 CAMC 80155, Volco 2 CAMC 80156, Volco 3 CAMC 170259, Volco 4 CAMC 170260, Volco5 CAMC 78405, Volco 6 CAMC 78404, and Volco 7 CAMC 78403, Volco Placer 78332, to continue exploration and development activities on such claims for a period of two years after the date of enactment of this title, subject to the same regulations as applied to such activities on such claims on the day before such date of enactment.

(2) At the end of the period specified in paragraph (1), or sooner if so requested by the holder or holders of the claims specified in such paragraph, the Secretary shall determine whether there has been a discovery of valuable minerals on such claims and whether, if such discovery had been made on or before July 1, 1994, such claims would have been valid as of such date under the mining laws of the United States in effect on such date.

(3) If the Secretary, pursuant to paragraph (2), makes an affirmative determination concerning the claims specified in paragraph (1), the holder or holders of such claims shall be permitted to continue to operate such claims subject only to such regulations as applied on July 1, 1994 to the exercise of valid existing rights on patented mining claims within a unit of the National Park System.

#### SEC. 510. GRAZING.

(a) The privilege of grazing domestic livestock on lands within the preserve shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations.

(b) If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the preserve, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the preserve and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

#### SEC. 511. UTILITY RIGHTS OF WAY.

(a)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to Southern California Edison Company, its successors or assigns, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(2) Nothing in this title shall have the effect of prohibiting the upgrading of an existing electrical transmission line for the purpose of increasing the capacity of such transmission line in the Southern California Edison Company validly issued Eldorado Lugo Transmission Line right-of-way and Mojave-Lugo Transmission Line right-of-way, or in a right-of-way if

issued, granted, or permitted by the Secretary adjacent to the existing Mojave Lugo Transmission Line right-of-way (hereafter in this section referred to as "adjacent right-of-way"), including construction of a replacement transmission line: Provided, That—

(A) in the Eldorado-Lugo Transmission Line rights-of-way (hereafter in this section referred to as the "Eldorado rights of-way") at no time shall there be more than three electrical transmission lines;

(B) in the Mojave-Lugo Transmission Line right-of-way (hereafter in this section referred to as the "Mojave right-of-way) and adjacent right-of-way, removal of the existing electrical transmission line and reclamation of the site shall be completed no later than three years after the date on which construction of the upgraded transmission line begins, after which time there may be only one electrical transmission line in the lands encompassed by Mojave right-of-way and adjacent right-of-way;

(C) if there are no more than two electrical transmission lines in the Eldorado rights-of-way, two electrical transmission lines in the lands encompassed by the Mojave right-of-way and adjacent right-of-way may be allowed;

(D) in the Eldorado rights-of-way and Mojave right-of-way no additional land shall be issued, granted, or permitted for such upgrade unless an addition would reduce the impacts to preserve resources;

(E) no more than 350 feet of additional land shall be issued, granted, or permitted for an adjacent right-of-way to the south of the Mojave right-of-way unless a greater addition would reduce the impacts to preserve resources; and

(F) such upgrade activities, including helicopter aided construction, shall be conducted in a manner which will minimize the impact on preserve resources.

(3) The Secretary shall prepare within one hundred and eighty days after the date of enactment of this title, in consultation with the Southern California Edison Company, plans for emergency access by the Southern California Edison Company to its rights of-way.

(b)(1) Nothing in this title shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair, and replacement activities in such right-of-way; prohibiting the upgrading of and construction on existing facilities in such right-of-way for the purpose of increasing the capacity of the existing pipeline; or prohibiting the renewal of such right of-way issued, granted, or permitted to the Southern California Gas Company, its successors or assigns, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(2) The Secretary shall prepare within one hundred and eighty days after the date of enactment of this title, in consultation with the Southern California Gas Company, plans for emergency access by the Southern California Gas Company to its rights-of-way.

(c) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted for communications cables or lines, which are located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

(d) Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities of existing facilities issued, granted, or permitted to Molybdenum Corporation of America; Molycorp, Incorporated; or Union Oil Company of California (d/ b/a Unocal Corporation); or its successors or assigns, or prohibiting renewal of such right-of-way, which is located on lands included in the Mojave National Preserve, but outside lands designated as wilderness under

section 601(a)(3). Such activities shall be conducted in a manner which will minimize the impact on preserve resources.

#### SEC. 512. PREPARATION OF MANAGEMENT PLAN.

Within three years after the date of enactment of this title, the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives a detailed and comprehensive management plan for the preserve. Such plan shall place emphasis on historical and cultural sites and ecological and wilderness values within the boundaries of the preserve. Such plan shall evaluate the feasibility of using the Kelso Depot and existing railroad corridor to provide public access to a facility for special interpretive, educational, and scientific programs within the preserve. Such plan shall specifically address the needs of individuals with disabilities in the design of services, programs, accommodations and facilities consistent with section 504 of the Rehabilitation Act of 1973, Public Law 101-336, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101), and other appropriate laws and regulations.

#### SEC. 513. GRANITE MOUNTAINS NATURAL RESERVE.

(a) ESTABLISHMENT — There is hereby designated the Granite Mountains Natural Reserve within the preserve comprising approximately nine thousand acres as generally depicted on a map entitled "Mojave National Park Boundary and Wilderness—Proposed, dated May 1991.

(b) COOPERATIVE MANAGEMENT AGREEMENT — Upon enactment of this title, the Secretary shall enter into a cooperative management agreement with the University of California for the purposes of managing the lands within the Granite Mountains Natural reserve. Such cooperative agreement shall ensure continuation of arid lands research and educational activities of the University of California, consistent with the provisions of this title and laws generally applicable to units of the National Park System.

#### SEC. 514. SODA SPRINGS DESERT STUDY CENTER.

Upon enactment of this title, the Secretary shall enter into a cooperative management agreement with California State University for the purposes of managing facilities at the Soda Springs Desert Study Center. Such cooperative agreement shall ensure continuation of the desert research and educational activities of California State University, consistent with the provisions of this title and laws generally applicable to units of the National Park System.

#### SEC. 515. CONSTRUCTION OF VISITOR CENTER.

The Secretary is authorized to construct a visitor center in the preserve for the purpose of providing information through appropriate displays, printed material, and other interpretive programs, about the resources of the preserve.

#### SEC. 516. ACQUISITION OF LANDS.

The Secretary is authorized to acquire all lands and interest in lands within the boundary of the preserve by donation, purchase, or exchange, except that—

(1) any lands or interests therein within the boundary of the preserve which are owned by the State of California, or any political subdivision thereof, may be acquired only by donation or exchange except for lands managed by the California State Lands Commission; and  
(2) lands or interests therein within the boundary of the preserve which are not owned by the State of California or any political subdivision thereof may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity or comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the preserve or which is otherwise incompatible with the purposes of this title: Provided, however, That the construction, modification, repair, improvement, or replacement of a single-family residence shall not be determined to be detrimental to the integrity of the preserve or incompatible with the purposes of this title.

#### SEC. 517. ACQUIRED LANDS TO BE MADE PART OF MOJAVE NATIONAL PRESERVE.

Any lands acquired by the Secretary under this title shall become part of the Mojave National Preserve.

#### SEC. 518. MOJAVE NATIONAL PRESERVE ADVISORY COMMISSION.

(a) The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for the Mojave National Preserve.

(b)(1) The advisory commission shall include an elected official for each County within which any part of the preserve is located, a representative of the owners of private properties located within or immediately adjacent to the preserve, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) The advisory commission shall cease to exist ten years after the date of its establishment.

#### SEC. 519. NO ADVERSE AFFECT ON LAND UNTIL ACQUIRED.

Unless and until acquired by the United States, no lands within the boundaries of wilderness areas or National Park System units designated or enlarged by this Act that are owned by any person or entity other than the United States shall be subject to any of the rules or regulations applicable solely to the Federal lands within such boundaries and may be used to the extent allowed by applicable law. Neither the location of such lands within such boundaries nor the possible acquisition of such lands by the United States shall constitute a bar to the otherwise

lawful issuance of any Federal license or permit other than a license or permit related to activities governed by 16 U.S.C. 4601-22(c). Nothing in this section shall be construed as affecting the applicability of any provision of the Mining in the Parks Act (16 U.S.C. 1901 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), or regulations applicable to oil and gas development as set forth in 36 CFR 9B.

## TITLE VI—NATIONAL PARK SYSTEM WILDERNESS

### SEC. 601. DESIGNATION OF WILDERNESS.

(a) In furtherance of the purposes of the Wilderness Act (78 note. Stat. 890; 16 U.S.C. 1311 et seq.), the following lands within the units of the National Park System designated by this Act are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

(3) Mojave National Preserve Wilderness, comprising approximately six hundred ninety-five thousand two hundred acres, as generally depicted on ten maps entitled "Mojave National Park Boundary and Wilderness—Proposed", and numbered in the title one through ten, and dated March 1994 or prior, and seven maps entitled "Mojave National Park Wilderness—Proposed", numbered in the title one through seven, and dated March 1994 or prior, and which shall be known as the Mojave Wilderness.

### SEC. 602. FILING OF MAPS AND DESCRIPTIONS.

Maps and a legal description of the boundaries of the areas designated in section 601 of this title shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior. As soon as practicable after the date of enactment of this title, maps and legal descriptions PUBLIC LAW 103-433—OCT. 31, 1994 108 STAT. 4497 of the wilderness areas shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, and such maps and legal descriptions shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

### SEC. 603. ADMINISTRATION OF WILDERNESS AREAS.

The areas designated by section 601 of this title as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provision to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, and reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

## TITLE VII—MISCELLANEOUS PROVISIONS

### SEC. 702. LAND TENURE ADJUSTMENTS.

In preparing land tenure adjustment decisions with the California Desert Conservation Area, of the Bureau of Land Management, the Secretary shall give priority to consolidating Federal ownership within the national park units and wilderness areas designated by this Act.

**SEC. 703. LAND DISPOSAL.**

Except as provided in section 406 of this Act, none of the lands within the boundaries of the wilderness or park areas designated under this Act shall be granted to or otherwise made available for use by the Metropolitan Water District or any other agencies or persons pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b) or any similar Acts.

**SEC. 704. MANAGEMENT OF NEWLY ACQUIRED LANDS.**

Any lands within the boundaries of a wilderness area designated under this Act which are acquired by the Federal Government, shall become part of the wilderness area within which they are located and shall be managed in accordance with all the provisions of this Act and other laws applicable to such wilderness area. 16 use 410aaa-71. 16 use 410aaa-72. 16 use 410aaa-73. 16 use 410aaa-74. 108 STAT. 4498 PUBLIC LAW 103-433—OCT. 31, 1994 16 use 410aaa-75. Reports. 16 use 410aaa-76.

**SEC. 705. NATIVE AMERICAN USES AND INTERESTS.**

(a) ACCESS —In recognition of the past use of the National Park System units and wilderness areas designed under this Act by Indian people for traditional cultural and religious purposes, the Secretary shall ensure access to such park system units and wilderness areas by Indian people for such traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of the park system unit or wilderness area in order to protect the privacy of traditional cultural and religious activities in such areas by Indian people. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996) commonly referred to as the "American Indian Religious Freedom Act", and with respect to areas designated as wilderness, the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131).

(2) Not later than 1 year after the date of enactment of this title, the Secretary shall submit a report to the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the United States Senate, and the Committee on Natural Resources of the United States House of Representatives on the results of the study conducted under paragraph (1).

**SEC. 706. FEDERAL RESERVED WATER RIGHTS.**

(a) Except as otherwise provided in section 204 of this Act, with respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved water rights shall be the date of enactment of this Act.

(b) The Secretary and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 43U.S.C. 666), commonly referred

to as the McCarran Amendment.

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(d) The Federal water rights reserved by this Act are specific to the wilderness area located in the State of California designated under this Act. Nothing in this Act related to the reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made thereto.

#### SEC. 707. CALIFORNIA STATE SCHOOL LANDS.

**NEGOTIATIONS TO EXCHANGE.**—Upon request of the California State Lands Commission (hereinafter in this section referred to as the Commission"), the Secretary shall enter into negotiations for an agreement to exchange Federal lands or interests therein on the list referred to in subsection (b)(2) for California State School lands or interests therein which are located within the boundaries of one or more of the wilderness areas or park system units designated by this Act (hereinafter in this section referred to as "State School lands."). The Secretary shall negotiate in good faith to reach a land exchange agreement consistent with the requirements of section 206 of the Federal Land Policy and Management Act of 1976.

(b) **PREPARATION OF LIST.**—Within six months after the date of enactment of this Act, the Secretary shall send to the Commission and to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives a list of the following: (1) State School lands or interests therein (including mineral interests) which are located within the boundaries of the wilderness areas or park system units designated by this Act. (2) Lands within the State of California under the jurisdiction of the Secretary that the Secretary determines to be suitable for disposal for exchange, identified in the following priority— (A) lands with mineral interests, including geothermal, which have the potential for commercial development but which are not currently under mineral lease or producing Federal mineral revenues; (B) Federal claims in California managed by the Bureau of Reclamation that the Secretary determines are not needed for any Bureau of Reclamation project; and (C) any public lands in California that the Secretary, pursuant to the Federal Land Policy and Management Act of 1976, has determined to be suitable for disposal through exchange. (3) Any other Federal land, or interest therein, within the State of California, which is or becomes surplus to the needs of the Federal Government. The Secretary may exclude, in the Secretary's discretion, lands located within, or contiguous to, the exterior boundaries of lands held in trust for a federally recognized Indian tribe located in the State of California. (4) The Secretary shall maintain such list and shall annually transmit such list to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives until all of the State School lands identified in paragraph (1) have been acquired.

(c) **DISPOSAL OF SURPLUS FEDERAL PROPERTY.**—(1) Effective upon the date of enactment of this title and until all State School lands identified in paragraph (b)(1) of this

section are acquired, no Federal lands or interests therein within the State of California may be disposed of from Federal ownership unless— (A) the Secretary is notified of the availability of such lands or interest therein; (B) the Secretary has notified the Commission of the availability of such lands or interests therein for exchange; and 79-194 O—95—33 : QL 3 Part 5 108 STAT. 4500 PUBLIC LAW 103-433—OCT. 31, 1994 16 use 410aaa-78. 16 use 410aaa-79. Reports. Reports. (C) the Commission has not notified the Secretary within six months that it wishes to consider entering into an exchange for such lands or interests therein. (2) If the Commission notifies the Secretary that it wishes to consider an exchange for such lands or interests therein, the Secretary shall attempt to conclude such exchange in accordance with the provisions of this section as quickly as possible. (3) If an agreement is reached and executed with the Commission, then upon notice to the head of the agency having administrative jurisdiction over such lands or interests therein, the Secretary shall be vested with administrative jurisdiction over such land or interests therein for the purpose of concluding such exchange. (4) Upon the acquisition of all State School lands or upon notice by the Commission to the Secretary that it no longer has an interest in such lands or interests therein, such lands or interests shall be released to the agency that originally had jurisdiction over such lands or interests for disposal in accordance with the laws otherwise applicable to such lands or interests.

(d) No EFFECT ON MILITARY BASE CLOSURES.—The provisions of this section shall not apply to the disposal of property under title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 102 Stat. 2627; 10 U.S.C. 2687 note) or the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510; 104 Stat. 1808; 10 U.S.C. 2687 note)

#### SEC. 708. ACCESS TO PRIVATE PROPERTY.

The Secretary shall provide adequate access to non-federally owned land or interests in land within the boundaries of the conservation units and wilderness areas designated by this Act which will provide the owner of such land or interest the reasonable use and enjoyment thereof.

#### SEC. 709. FEDERAL FACILITIES FEE EQUITY.

(a) POLICY STATEMENT.—It is the intent of Congress that entrance, tourism or recreational use fees for use of Federal lands and facilities do not discriminate against any State or any region of the country.

(b) FEE STUDY.—The Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1996, to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall—

(1) identify all Federal lands and facilities that provide recreational or tourism use; and  
(2) analyze by State and region any fees charged for entrance, recreational or tourism use, if any, on Federal lands or facilities in a State or region, individually and collectively.

(c) RECOMMENDATIONS.—Following completion of the report in subsection (b), the

Secretary, in cooperation with other affected agencies, shall prepare and submit a report by May 1, 1997 to the Committee on Energy and Natural Resources of the United States Senate, the Committee on Natural Resources of the United States House of Representatives, and any other relevant committees, which shall contain recommendations which the Secretary deems appropriate for implementing the congressional intent outlined in subsection (a).

#### SEC. 710. LAND APPRAISAL.

Lands and interests in lands acquired pursuant to this Act shall be appraised without regard to the presence of a species listed as threatened or endangered pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

#### SEC. 711. DEFINITION.

Any reference to the term "this Act" in titles I through IX shall be deemed to be solely a reference to sections 1 and 2, and titles I through IX.

#### SEC. 901. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the National Park Service and to the Bureau of Land Management to carry out this Act an amount not to exceed \$36,000,000 over and above that provided in fiscal year 1994 for additional administrative and construction costs over the fiscal year 1995-1999 period, and \$300,000,000 for all land acquisition costs. No funds in excess of these amounts may be used for construction, administration, or land acquisition authorized under this Act without a specific

Approved October 31, 1994.

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### Presidential Proclamation -- Establishment of the Castle Mountains National Monument

#### ESTABLISHMENT OF THE CASTLE MOUNTAINS NATIONAL MONUMENT

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#### BY THE PRESIDENT OF THE UNITED STATES OF AMERICA A PROCLAMATION

The Castle Mountains area, bounded on three sides by Mojave National Preserve (Preserve), possesses outstanding natural, cultural, and historical values representing some of the finest characteristics of the eastern Mojave Desert. It connects water flow and wildlife corridors of the Preserve and completes the boundary of the Preserve along the California-Nevada border. Beneath the shadow of Hart Peak lie

rich cultural and historic resources, including Native American archeological sites and the historic gold mining ghost town of Hart. Exposed geologic features contribute to the area's outstanding scenery.

Shaped by millions of years of geologic forces, the rugged Castle Mountains are emblematic of the Mojave landscape. The Castle Mountains rise from the broad sweep of the Lanfair Valley to a height of over 5,000 feet, presenting a picturesque skyline visible from many locations within the Preserve, while also affording spectacular views of the Preserve and beyond. Hart Peak is the prominent feature in the Castle Mountains skyline at 5,543 feet. Views from Hart Peak encompass vast wilderness and distinctive peaks, including Spirit Mountain in Nevada, a sacred site to many Native American tribes. The remoteness of the Castle Mountains area offers visitors the chance to experience the solitude of the desert and its increasingly rare natural soundscapes and dark night skies.

The Castle Mountains area provides a critical linkage for plants, animals, and water between two mountain ranges within the Preserve, the New York Mountains to the northwest and the Piute Mountains to the southeast. The area's high quality desert habitat includes some of the finest Joshua tree forest in the Mojave Desert, as well as pinyon pine and juniper forest at the upper elevations. The area's native desert grassland is a hotspot of botanical diversity. The unique plant assemblage includes 28 species of native grasses, about half of which are rare, including burrograss and false buffalograss.

Protection of this relatively intact and undisturbed habitat is important not just to the long-term survival of many plant species but also to significant wildlife populations. A herd of desert bighorn sheep lives on the steep, rocky slopes of the Castle Mountains. They and other wildlife traverse the area between the Piute Mountains and the New York Mountains. Numerous bat species live in rock crevices and mine remnants in the area. Wildlife species of special concern include the Townsend's big-eared bat, California leaf-nosed bat, Swainson's hawk, golden eagle, desert tortoise, Bendire's thrasher, and gray vireo.

With its habitat linkages, wildlife corridors, and intact ecosystems, the area offers exceptional opportunities to study plant and animal movement and connections between diverse natural systems, especially in the context of climate change. Ongoing studies of desert bighorn sheep and other plant and animal species have shown the priority of this area for scientific research. A recent study using network models of bighorn sheep genetic and demographic connectivity as tools for landscape-scale conservation found the Castle Mountains habitat to be one of the most important in the Mojave Desert. Botanists are finding new and rare plant populations, and significant new information regarding the range of species such as Mexican panicgrass, in the Castle Mountains area.

The Castle Mountains area is the only remaining portion of the 226-square mile Lanfair Valley watershed that is not part of the Preserve. Underlying much of the Lanfair Valley, including the Castle Mountains area, is a large groundwater aquifer of critical importance to the desert ecosystem. With its primary recharge zone in the New York Mountains, this aquifer feeds Piute Spring, located in the Preserve just south of the Castle Mountains area. Piute Spring is the only perennial stream and riparian corridor in the Preserve and attracts numerous flora and fauna.

As a rare desert water source, Piute Spring attracted Native American habitation for thousands of years, followed by Euro-American exploration and settlement. Drawn to this reliable source of potable water, in 1867 the U.S. Army established Fort Piute (listed on the National Register of Historic Places) adjacent to the spring to provide protection to travelers on the Old Spanish Trail (known locally as the Mojave Road) that crossed the Mojave Desert from the Colorado River to San Bernardino, California. Maintenance of the groundwater resources and flow to Piute Spring is essential to the historical and scientific value of both the area and the Preserve.

The Castle Mountains area also contains other cultural resources that reflect a long history of prehistoric and historic human use. Prehistoric rock art and archeological sites are found throughout the area. The rock art indicates sites of significant cultural import to both the Fort Mojave and Chemehuevi Tribes, marking routes through the Castle Mountains likely traveled by both tribes. The Castle Mountains area links places to the south, like Piute Spring, to areas north, such as an obsidian collection site. Western expansion brought ranching, mining, and the railroad to the area. Some of the best-preserved segments of a wagon road that linked the Arizona Territory (Hardyville, now Bullhead City, Arizona) to settlements in southern California can be found in the Castle Mountains area. Ranchers grazed cattle in the area. By 1894, the Rock Springs Land and Cattle Company had consolidated its holdings in the eastern Mojave Desert. Much of their historic ranch lies within the Preserve, and features of this and other grazing enterprises of the era can still be seen in the Castle Mountains area. In 1907, brothers Bert and Clark Hitt found rich gold ore, staking claims that became the Oro Belle and Big Chief Mines. With James Hart, they founded the town of Hart at the base of Hart Peak. Between 1908 and 1910, the town of Hart underwent a rapid boom and bust, and by 1920, Hart had become a ghost town. Throughout this period of western expansion, railroads served the ranchers, miners, Hart residents, and others in the eastern Mojave Desert. Part of the former 23-mile Barnwell and Searchlight Railway, later incorporated into the California Eastern Railway, ran through the Castle Mountains area.

WHEREAS, section 320301 of title 54, United States Code (known as the "Antiquities Act"), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the

lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS, it is in the public interest to preserve and protect the historic and scientific objects in the Castle Mountains area;

WHEREAS, the protection of the Castle Mountains area's outstanding objects of historic and scientific interest would also contribute to the protection of the resources and values of the Preserve;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Federal Government to be the Castle Mountains National Monument (monument) and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. The reserved Federal lands and interests in lands encompass approximately 20,920 acres. The boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries described on the accompanying map are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the monument is subject to valid existing rights. If the Federal Government acquires any lands or interests in lands not owned or controlled by the Federal Government within the boundaries described on the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretary of the Interior (Secretary) shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses,

consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).

The Secretary shall manage these lands through the National Park Service, pursuant to applicable authorities, consistent with the purposes and provisions of this proclamation. The Secretary shall prepare a management plan to implement the purposes of this proclamation, with full public involvement, within 3 years of the date of this proclamation. For the purpose of protecting the objects identified above, all motorized and mechanized vehicle use off road will be prohibited, except for emergency or authorized administrative purposes. The Secretary shall continue to manage the Federal lands and interests in lands within the adjacent area labelled "Castle Mountains Mine Area" on the accompanying map through the Bureau of Land Management, pursuant to applicable authorities. Upon the determination of the Secretary that either (1) all mining and mining-related activities have terminated and reclamation has been completed, or (2) a period of 10 years from the date of this proclamation has elapsed during which no commercial mining activities have occurred pursuant to a Bureau of Land Management approved plan of operations, the Secretary shall, consistent with applicable legal authorities, transfer jurisdiction of the lands within the Castle Mountains Mine Area to the National Park Service and ensure that the lands are managed in a manner compatible with the proper care and management of the objects identified above.

Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of California with respect to fish and wildlife management.

The Federal land managing agencies shall, in cooperation with appropriate State officials and subject to applicable State and Federal law, ensure the availability of water resources, including groundwater resources, needed for monument purposes.

Nothing in this proclamation shall restrict or preclude low level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the lands reserved by this proclamation, consistent with the care and management of the objects to be protected.

Nothing in this proclamation shall be construed to alter the authority or responsibility of any party with respect to emergency response activities within the monument, including wildland fire response.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of February, in the year of our Lord two thousand sixteen, and of the Independence of the United States of America the two hundred and fortieth.

BARACK OBAMA

## Appendix B: NPS Museum Collections

The Department of Interior defines a museum collection as a subset of personal property that is retained for long-term preservation, study, and interpretation consistent with statutory requirements and its relationship to the mission of the respective bureau and park. The NPS affirmed its mandate to actively acquire and preserve objects, specimens, and archives in *NPS Management Policies* (2006, section 5.3.5.5), stating that “The Service will collect, protect, preserve, provide access to, and use objects, specimens, and archival and manuscript collections . . . in the disciplines of archeology, ethnography, history, biology, geology, and paleontology to aid understanding among park visitors, and to advance knowledge in the humanities and sciences.”

Parks acquire and manage museum collections because they are:

important park resources in their own right as well as being valuable for the information they provide about processes, events, and interactions among people and the environment. Natural and cultural objects and their associated records provide baseline data, serving as scientific and historical documentation of the park’s resources and purpose. All resource management records that are directly associated with museum objects are managed as museum property. These and other resource management records are preserved as part of the archival and manuscript collection because they document and provide an information base for the continuing management of the park’s resources (NPS-28 *Cultural Resource Management Guideline*, 1998: 137).

Because of their significance, *NPS Management Policies* (2006, section 1.4.6) includes museum collections among the park resources and values which are subject to the no-impairment standard. Impairment (pg. 11)

[NPS Management Policies \(2006, section 1.4.6, pg. 11\)](#)

1.4.6 What Constitutes Park Resources and Values

- The “park resources and values” that are subject to the no-impairment standard

- include + the park's scenery, natural and historic objects, and wildlife, and the processes and conditions that sustain them, including, to the extent present in the park: the ecological, biological, and physical processes that created the park and continue to act upon it; scenic features; natural visibility, both in daytime and at night; natural landscapes; natural soundscapes and smells; water and air resources; soils; geological resources; paleontological resources; archeological resources; cultural landscapes; ethnographic resources; historic and prehistoric sites, structures, and objects; museum collections; and native plants and animals;
- appropriate opportunities to experience enjoyment of the above resources, to the extent that can be done without impairing them;
  - the park's role in contributing to the national dignity, the high public value and integrity, and the superlative environmental quality of the national park system, and the benefit and inspiration provided to the American people by the national park system; and
  - any additional attributes encompassed by the specific values and purposes for which the park was established. (See introduction to chapter 4)

### **Appendix C: Legislation Related to NPS Museum Collection and Other Related Conventions, Laws, and Regulations**

These laws provide the legal mandates for NPS management of museum collections:

- 16 USC
  - 469-469c: Reservoir Salvage Act of 1960, as amended
  - 470aa-mm: Archeological Resources Protection Act of 1979
  - 470aaa: Paleontology Resources Preservation Act of 2009
  - 668a Bald Eagle Protection Act of 1940, as amended
  - 703-711 Migratory Bird Treaty Act of 1918
  - 1361-1407 Marine Mammal Protection Act of 1972
  - 1531-1543 Endangered Species Act of 1973, as amended
- 18 USC 43-44 Lacey Act of 1900 [The Black Bass Act of 1930 (16 USC 851) added fish to the list of wildlife under the Lacey Act]
- 25 USC 3001-3013 Native American Graves Protection and Repatriation Act of 1990
- 41 USC 102-41 Subpart C Voluntarily Abandoned Property
- 42 USC 1996 American Indian Religious Freedom Act of 1978
- 54 USC
  - 100101: Promotion and Regulation
  - 100301-100302: Establishment (Organic Act of 1916)
  - 100701 et seq.: System Resource Inventory and Management (National Parks Omnibus Management Act of 1988)
  - 102501-102504: Museums (Museum Properties Management Act of 1955)
  - 300101 et seq: Historic Preservation (National Historic Preservation Act of 1966)

- 312501-312507: Preservation of Historical and Archeological Data (Archeological and Historic Preservation Act of 1974)
- 320301-320303: Monuments, Ruins, Site, and Objects of Antiquity (The Antiquities Act)
- 321010-320106: American Antiquities [Policy and Administrative Provisions], (Historic Sites Act of 1935)

The following regulations include major requirements for NPS museum collections management.

- Copyright Act of 1976 (17 USC 101 et seq. [1988 & Supp. V 1993])
- Curation of Federally Owned and Administered Archeological Collections” (36 CFR Part 79) and in something about the update for deaccessioning
- Disposition of Federal Records (36 CFR 1228)
- Disposal of Records (44 USC 33)
- Endangered and Threatened Wildlife and Plants (50 CFR, Sections 17.11 and 17.12)
- Federal Property and Administrative Services Act of 1949, as amended (40 USC 483[b])
- Federal Records Act of 1950, as amended (44 USC 3101 et seq.)
- Freedom of Information Act of 1966, as amended (5 USC 552)
- Native American Graves Protection and Repatriation Regulations (43 CFR 10)
- Preservation, Arrangement, Duplication, Exhibition of Records (44 USC 2109)
- Preservation of American Antiquities (43 CFR Part 3)
- Privacy Act of 1974 (5 USC 552a)
- Protection of Archeological Resources (43 CFR Part 7)
- Research Specimens (36 CFR, Section 2.5)
- Abandoned Shipwreck Act of 1987 (43 USC 2101 through 2106)
- Animal Welfare Act of 1966 (7 USC 2131 through 2159)
- Copies of records, documents, etc.: charges, disposition of receipts (43 USC 1460)
- Commercial filming activities on federal land (Public Law 106-206)
- Department of the Interior Fish and Wildlife Policy: State-Federal Relationships (43 CFR 24)
- Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies were published in the Federal Register as 67 FR 5365
- Federal Cave Resources Protection Act of 1988 (16 USC 63)
- Federal Land Policy and Management Act of 1976 (43 USC 35)
- Federal Technology Transfer Act of 2012 (15 USC 3710)
- Information Quality Act (passed in section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-554; H.R. 5658)
- National Archives and Records Administration Act of 1984 (44 USC 21)
- Omnibus Consolidated Appropriations Act of 1997 (Public Law 104-208)
- Permits (36 CFR 1.6)
- Preservation of Natural, Cultural, and Archeological Resources (36 CFR 2.1)

- Presidential and Federal Records Act Amendments of 2014 (Public Law 113-187; H.R. 1233)

Presidential memoranda pertinent to museum and archival collections include: Presidential memoranda pertinent to museum and archival collections include

- Memorandum on Preserving Scientific Integrity in Government Decision-Making (2009) and the Presidential Memorandum on Managing Government Records (2011)
- “Technical Edits” for 36 CFR were published in the Federal Register as 80 FR 36474, effective as of on June 25, 2015

The following international conventions apply to NPS cultural collections:

- 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property (implemented in the United States by P.L. 97-446 in 1983, 19 USC 2601)
- 1983 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

The following governmentwide and departmental policies and standards apply to NPS museum collections:

- 41 CFR 101 Federal Property Management Regulations (FPMR)
- Departmental Manual Part 11, Museum Property Management, Chapters 1-3
- Departmental Manual Part 517, Chapter 1, Pesticide Use Policy
- Interior Property Management Regulations, Departmental Manual Part 410, Personal Property Management (Subpart 114-60)

Excerpts from NPS Management Policies (1988) that are specifically relevant to museum objects are as follows:

- Chapter 4 - Natural Resource Management
  - Natural Resource Collections (Page 4:4)
  - Integrated Pest Management Procedures (Page 4:13)
  - Paleontologic Resource Management (Page 4:19)
- Chapter 5 - Cultural Resource Management
  - Inventories (Page 5:1)
  - Preservation of Data and Collections and Protection of Research Potential (Page 5:3)
  - Treatment of Museum Objects (Pages 5:9-10)
  - Acquisition, Management, and Disposition of Museum Objects (Page 5:10)
  - Historic Furnishings (Page 5:10)
  - Archives and Manuscripts (Pages 5:10-11)
  - Fire Detection and Suppression (Page 5:14)
  - Pest Management (Page 5:14)
- Chapter 7 - Interpretation and Education: Interpretation and Native Americans (Page 7:5)
- Chapter 8 - Use of the Parks: Research and Collection Activities (Pages 8:15-16)

- Chapter 9 - Park Facilities: Curatorial Facilities (Page 9:15)
- Chapter 10 - Concessions Management: Merchandise and Handcrafts (Pages 10.8-9)

Director's Orders (DO) supplement the NPS Management Policies. The following DO include guidance for museum collections

- Director's Order #11D: Records Management
- Director's Order #24: NPS Museum Collections Management
- Director's Order #28: Cultural Resource Management
- Director's Order #44: Personal Property Management
- Director's Order #77: Natural Resource Protection
- Director's Order #77-10: NPS Benefits Sharing
- Director's Order #79: Integrity of Scientific and Scholarly Activities

For a more detailed description of legislation and regulations as related to NPS museum collections, please see [Museum Handbook, Part I, Appendix A: Mandates and Standards for NPS Museum Collections](#).

## Appendix D: Uses and Restrictions of Museum Collections

### A. General Use

The site's museum collections may be used for exhibits, interpretive programs, research, and other interpretive media such as publications. The governing consideration on the use of museum objects is the conservation of each object in question and of the park's collection:

- All exhibits or displays containing museum objects must have proper security and appropriate environmental controls to ensure their long-term preservation.
- Social Media posts must follow the guidelines outlined in *Director's Order #70*.
- Objects and records will be available for research purposes consistent with the preservation of the collection, subject to the guidelines outlined in *Director's Order #28* (1998) and *Director's Order #24* (2008).
- No use of the museum collection will be permitted without a curatorial staff member present. Prior arrangements must be made to examine museum collection materials. Non-NPS researchers who wish to use the collection must complete an application form, which will be reviewed by MOJA/CAMO curatorial staff.
- Museum objects are prohibited from being used in living history demonstrations. For more information regarding museum collection use in demonstrations, see [Museum](#)

[Handbook, Part III, Chapter 6](#). Exhibits may be incorporated into programs through organized tours or other non-consumptive techniques.

- Requests for consumptive analysis or testing of museum materials will comply with restrictions and procedures outlined in *Director's Order #28* (1998) and the [Museum Handbook, Part II, Chapter 4](#). <include any park-specific data use procedures>
- Requests for monetary and/or non-monetary benefits sharing stemming from research results derived from NPS-permitted research including progeny and unmodified derivatives of collected specimens, museum specimens, living collections, and multiple generations thereof, i.e. *Material*, will comply with [Director's Order #77-10](#) (2013) and [NPS Benefits-Sharing Handbook](#) (2018).

With appropriate authorization, documentation, and tracking, collected specimens may be used in the laboratory to create *Material*. The Collected Specimen Transfer Agreement (CSTA) authorizes the movement of collected specimens when a determination has not been made regarding final disposition. The Material Transfer Agreement (MTA) authorizes the movement of material that a researcher has created in a laboratory, and the loan agreement authorizes the movement of permanently retained museum specimens or living collection items.

Parks must use research permits, CSTAs, cataloging records, loan agreements, and MTAs, as applicable, to track collected specimens, museum specimens, and material. Tracking collected specimens, museum specimens, and material is critical to monitoring commercial use of research results and eventual benefits sharing.

- Objects may be loaned to qualified institutions for exhibition or research use in keeping with the conditions cited in “Conditions for Outgoing Loans (Form 10-137A)”. No loans are made to individuals. Institutions must be able to adequately care for the loan and the borrowing institution must complete a facility report to determine the risk of lending an object. A standard facility report can be purchased from the American Alliance of Museums. A condition report (Form 10-637) along with photographs of the loan shall be completed by collections staff before it leaves NPS custody. Sensitive materials may require additional conditions prior to a loan commitment. Expenses related to the loan of museum collection objects, including shipping and insurance, will be assumed by the borrower.

No exemption will be granted for use of museum objects where such use may lead to loss or destruction of human remains, associated or unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined by NAGPRA, unless such use is approved by the culturally affiliated group(s) in addition to the regional director or director as described in NPS-28, Cultural Resource Management Guidelines. Exhibition of Native American skeletal or mummified human remains or photos or replicas of them are specifically prohibited.

An exhibit plan and design (EPD) serve as a guide for the development of exhibits that support the interpretive themes of a park. The final production-ready exhibit plan identifies the museum

objects and graphics to be exhibited and provides label text. Detailed design drawings provide specifications on environmental and security needs for objects, special mounts needed to support objects, and techniques in exhibit case construction that facilitate access to museum objects. Park curatorial staff, conservators, and regional curators must be included in the development and review of EDPs. Indigenous groups associated with archeological and ethnographic objects will be consulted about their use in exhibits. (The NPS *Museum Handbook*, Part III provides guidance on the exhibit plan and design.)

Any and all uses of materials from the [PARK] museum collection will be consistent with the preservation standards set out in *Director's Order #28: Guideline for Cultural Resources Management* (1998). Any consumptive or destructive use of museum objects must be approved by the Regional Director.

## **B. Commercial Uses**

### **1. Filming & Photography**

Filming and photography that will subject collections to unacceptable light levels, heat buildup, deterioration or possible breakage or theft shall not be permitted. Items subject to copyright and privacy shall have all appropriate releases obtained before filming or photography is permitted. Traditionally affiliated groups shall be consulted to determine whether filming or photography would have an adverse impact on them before permitting use of museum collections.

On January 22, 2021, the United States District Court for the District of Columbia issued an order in *Price v. Barr*. The decision declared the provisions applying to commercial filming under 54 U.S.C. 100905, 43 C.F.R. Part 5, and 36 CFR 5. are unconstitutional under the First Amendment. The National Park Service is working with Department of Interior solicitors and the Department of Justice attorneys to determine the ramifications of the decision and how this decision will be implemented.

Until further instructions are provided, the implementation and enforcement of the commercial filming portions of 43 CFR part 5 including: 1) accepting applications and issuing permits for commercial filming; 2) enforcing the terms and conditions of permits or issuing citations and 3) collecting cost recovery and location fees for commercial filming activities will cease.

If filming activities in your park that would have previously been managed under a commercial filming permit could potentially impact park resources or the visitor experience, please reach out to the NPS Special Park Uses WASO program manager for further assistance. We anticipate issuing additional guidance about how parks can manage filming activities in a manner that complies with the court order. If you have questions, please contact the NPS Special Park Uses WASO program manager at 202-513-7092.

### **2. Reproduction of Museum Objects for Profit**

Only the Superintendent can authorize reproduction of a museum object, archive, or specimens. A park can enter into agreements with a cooperating association to reproduce museum collections as sales items. Parks can also enter into a reproduction agreement with contractors or other organizations to reproduce a museum object for sale or distribution. All reproductions of NPS museum objects must carry a reproduction mark, NPS credit, and interpretive label.

For detailed information regarding factors to evaluate when considering a reproduction request, legal issues, information about reproduction agreements, and other issues, see the NPS [Museum Handbook, Part III: Museum Collections Use](#). Additional information is provided in DO-21: Donations and Fundraising, DO-32: Cooperating Associations, and DO-53: Special Park Uses.

### **Appendix E: Sensitive and Confidential Information Statement**

In accordance with 54 USC 300101 et seq.: Historic Preservation, commonly called the National Historic Preservation Act; ARPA, NHPA, as amended (16 USC 470aa-mm); 54 USC 100701-100707: System Resource Inventory and Management, and NPS Management Policies (2006, sections 4.1.2. and 5.2.3), the Park may withhold from the public sensitive and confidential information, including the specific location, character, nature, ownership, or acquisition of cultural resources, and the nature and specific locations of rare, threatened, or endangered species, commercially valuable resources, caves, minerals, and paleontological resources.

Under some circumstances, the NPS may be required by law to disclose confidential information acquired during consultations, public meetings, and other research, planning, and stewardship activities, or in association with the acquisition of resources, including museum collections. Therefore, the park cannot guarantee confidentiality of all information received. To the extent permitted by law, the park will withhold from public disclosure information provided by individuals who wish the information to remain confidential and the identities of individuals who wish to remain anonymous and who are protected from release by exemption under FOIA. The park should refer inquiries to the regional FOIA and Privacy Act officer for consultation and possible review.

No known materials or archives, other than archeological site information of a sensitive or confidential nature are currently held in the museum collections.

### **Appendix F: Hazards in Collections**

Potential health and safety concerns may exist in NPS collections due to the nature of the object or specimen or to past management strategies. Some examples of inherent risks for natural science collections include: rocks and minerals may be radioactive or contain asbestos, mercury, or arsenic; fossils from some formations may be radioactive and may emit high levels of radon; fluid-preserved specimens are sometimes fixed or stored in formalin; and taxidermy collections may contain arsenic.

Samples of materials from historic structures may contain asbestos, lead, arsenic, or other potential hazards. History, ethnology, and archeology collections may include objects with radioactive compounds; mercuric or arsenic compounds; chromium, cadmium, zinc, and lead;

and pyrotechnic compound fillings, chemicals, or gas. Deteriorating cellulose nitrate film emits nitrogen oxide gases. Deteriorating cellulose acetate film emits acetic acid. Ammunition for historic firearms and unexploded ordnance (UXO) such as bombs, cannonballs, grenades, rockets, & other projectiles and explosives may be live. Spears, swords, and arrows have sharp edges and may be coated with poisons. Medical, dental, and veterinary equipment may contain viable pathogens, or toxic or controlled substances. Industrial equipment, machines, and vehicles may also contain many types of hazards such as broken glass, rust, and other contamination.

Suspected unexploded ordnance (UXO), live ammunition, and other explosives and energetic materials may be discovered in storage and on exhibit, during archeological excavation, construction, or other approved ground disturbing activities, and by park visitors. UXO is extremely dangerous and constitutes a major safety risk. Treat all ordnance with extreme caution and never assume it is disarmed. Upon discovery, secure the space where the UXO resides. Do not attempt to touch, handle, or move any suspected UXO. Contact your regional curator and park Law Enforcement Ranger or Safety Officer and provide them with the following information:

- The circumstances that the items were found, a detailed description of events, current storage conditions, and the information on instructions/labeling already completed.
- Provide a catalog number list of the UXO and any other ammunition (small arms and ordinance).
- Provide any photos that can be found and scan/include those in the correspondence. Do not go back and photograph.
- Include the number of cabinets in which these items are stored or if there are any on open shelving, in boxes, etc.

The service-wide policy outlined in NPS DO-50B, Occupational Safety and Health, along with the Museum Handbook, outlines a framework for establishing and implementing a Risk Management process when managing hazardous collections including:

- Recognize and identify the hazards
- Evaluate the hazards
- Reduce or eliminate the hazards to the extent possible

NPS DO-24 (section 4.3.11) requires that curatorial staff notify users that collections may have been treated with potentially toxic substances. All individuals seeking direct access to NPS museum collections must be provided with DI-3320 “Notice of Potential Hazards in Museum Collections.” The form must be completed before providing access to collections, including repatriations, traditional use, and loans of materials from the collection for management or research. Completed DI-3320s with original signatures must be retained by the park that is accountable for the collection being accessed for 120 years from the date the form is signed. If the recipient of the form declines to sign the form, document this in the notes section at the bottom of the form.

Known hazardous collections may be acquired or deaccessioned on a case-by-case basis and only when the hazards have been identified and can be appropriately and safely mitigated.

MOJA/CAMO will not bring in hazardous or potentially hazardous objects/materials into the museum collections. Any potential UXO/armament collected will be certified as inert before being added to the museum collections.

## **Appendix G: Research Collections and Permits**

Per NPS Management Policies (2006), the Service encourages appropriately reviewed natural and cultural resource studies and research whenever such studies and research are consistent with applicable laws and policies. All studies and research in parks will employ nondestructive methods to the maximum extent feasible with respect to resource protection, research methodology, and the scientific and management value of the information and collections to be obtained. Although studies and research involving physical impacts to park resources or the removal of objects or specimens may be permitted, studies and collecting activities that will lead to the impairment of park resources and values are prohibited.

In implementing NPS policies and procedures to ensure scientific integrity and resource stewardship, NPS managers should consider that:

- The science is not complete until the specimens and associated data which voucher the study are appropriately documented and preserved.
- Field work and analysis are the most expensive components of scientific projects.
- The cost of field work means that each collected specimen has high financial value. Requiring that researchers deposit voucher specimens in permanent collections protects that financial investment.
- Failure to retain appropriate scientific collections to document the scientific validity of the research is not economical or ethical.
- Identifications of species in faunistic and ecological studies (versus taxonomic studies) are more often made by non-specialists using only published keys. This increases the likelihood that misidentifications may occur, resulting in lower levels of confidence in identifications which will need to be verified by specialists in the future to validate the research.
- Using scientific collections to answer research questions can reduce some costs for new field work.
- As scientific advances are made and new techniques are developed, existing well-documented scientific collections will become even more important to NPS resource management and science.
- A specimen available today may not be available in the future, just as many specimens collected decades ago can no longer be recollected due to habitat loss, population decline, and other issues. Environmental specimens collected in a time series can never be replicated.

- Each biological specimen is a “snapshot in time” which reflects the biology and ecology of the living animal and its environment. Collecting another specimen decades later does replicate the earlier specimen of the same species.
- The passage of time, technological challenges, and prohibitive costs make it impossible to replace specimens collected but not retained when they are needed later.
- Periodic (and in some cases, routine) collection of scientific specimens for permanent retention is vital to understanding the processes, rates, and impacts of climate change.

As noted above, museum collections serve as the verifiable and reproducible evidence of a scientific study. Therefore, their collection and long-term preservation is a crucial aspect of ensuring scientific integrity.

Per Directors Order #24, and the standard permit requirements, all resource projects in parks must include funding for curation of specimens collected to prevent an increase in the backlog of uncataloged materials. The standard permit conditions require that associated project records including data, field notes, photographs, maps, etc. are submitted as part of the project’s deliverables and that they are cataloged according to NPS standards. A project is not considered completed until everything, including specimens, is cataloged and the data entered into the NPS official museum cataloging system.

#### Natural Resource Research Collections and Permits

Natural resource collections include non-living and living specimens. Research that includes taking plants, fish, wildlife, rocks, or minerals is governed by 36 CFR 2.5; additional guidance for research, collecting, and managing specimens and associated field records is found in the NPS Research Permit and Reporting System (RPRS), Director’s Order #77, Director’s Order #77-10, and the NPS Museum Handbook. Non-living specimens and their associated field records are managed as museum collections. Living collections will be managed in accordance with the provisions of a park’s general management plan, the Animal Welfare Act, and other appropriate requirements.

RPRS is the online system used by the NPS to manage the research application and reporting process. Park museum staff with collection custodial duties can effectively use RPRS to collaborate with park research coordinators, resource management staff, research permittees, and repositories to help manage permanently retained collections including completion of specimen labels, submission of catalog data, and submission of copies of field notes.

RPRS is also used to help track agreements with non-NPS repositories. When a researcher applies for a permit and proposes that collected specimens be retained in a non-NPS repository, the applicant must obtain the signature of a repository official (on Appendix A of the application) agreeing to the proposal and the terms of the NPS loan agreement that would be required upon deposit of the collections. Park museum staff coordinate completion of catalog records and issue loans to document collections deposited at repositories.

Currently, NPS policy allows superintendents discretion to issue permits to park staff and other NPS staff (i.e., network Inventory and Monitoring staff), especially when specimens will be collected for retention in park collections.

### Cultural Resource Research Collections and Permits

All archeological research must comply with ARPA, the Antiquities Act, and NAGPRA, as applicable. Guidance for collecting and managing field data, objects, specimens, and features of sites and structures retrieved during cultural resource research and treatment projects, together with associated records and reports, can be found in 36 CFR 79.4, Director's Order #28, and the NPS Museum Handbook. Archeological collections and their associated records are managed within the park museum collection, stored in NPS or non-NPS repositories, as appropriate, including repositories maintained by partners.

Permits that allow cultural resources to be physically disturbed or allow objects or specimens to be collected must require provisions for the long-term preservation and management of any recovered objects and specimens and for their cataloging, together with any associated records, in the NPS museum cataloging system. Independent researchers will be authorized to conduct archeological research on park lands only through the issuance of an ARPA or Antiquities Act permit by the appropriate regional director. This permitting authority cannot be further delegated. As appropriate, parks will also issue other necessary permits, such as a special use permit.

While RPRS is most used for natural resource-related research, all external research on NPS-managed lands must be documented in RPRS and may include archeological or other cultural resource research.

### Reviewing Research Permits

Current guidance does not require park museum staff or the CAC to work collaboratively with park resource management staff or the research coordinator to control collecting through permit conditions or specific requirements for collections. It is recommended, however, that park museum staff work with park research and/or resource management staff to advise the superintendent on what objects and specimens should be (or must be, according to statute) collected and managed as museum property. In some parks, curatorial and natural resource staff work together to review collection permit requests and advise the superintendent to reject certain collecting requests that are duplicative of existing collections and re-direct the researcher to conduct research on existing collections at the park or in other repositories. This process is particularly valuable to support park goals in protecting rare species, limiting/preventing duplicative or repetitive collecting, and ensuring there is no impairment of park resources or values.

The MOJA/CAMO science permit coordinator working with the museum curator will ensure that:

- Up-to-date contact information for park curator listed in RPRS
- Clear and complete instructions for collections and data submission under "Park-specific

Research Conditions” on Park Information page in RPRS; provide instructions for permittees to coordinate with park curator and prepare and submit labels, cataloging data, and specimens for collections to be retained, as well as resource management records and copies of field notes.

- Monitoring annual submission of IARs and remind delinquent investigators of their responsibilities
- Coordinating the authorization to permanently retain collections in a non-NPS repository ONLY after documenting in RPRS receipt of Appendix A is signed by the proposed non-NPS repository.

Helpful links:

[National Park Service Organic Act](#)

[National Park Service Omnibus Management Act of 1998](#)

National Park Service Management Policies 2001

Natural Resource Management Reference Manual #77

[Director's Order #77 \(Natural Resources Inventory and Monitoring\)](#)

Director's Order #77-10: NPS Benefits Sharing

[Director's Order #24 \(National Park Service Museum Collection Management\)](#)

[Natural Resource Management Reference Manual 41 \(Wilderness Preservation and Management\)](#)

[Section 106 of the National Historic Preservation Act \(16 USC 470f\)](#)

[Endangered Species Act of 1973](#)

[Wilderness Act of 1964](#)

[Archeological Resources Protection Act](#)

[43 CFR 7](#)

[36 CFR 2.5](#)

[Research Permits - Everglades National Park \(U.S. National Park Service\) \(nps.gov\)](#)

[NPS Archeology Program: Federal Archeological Permits](#)

[Research Permits - Yellowstone National Park \(U.S. National Park Service\) \(nps.gov\)](#)

[Obtain a Research Permit - Bering Land Bridge National Preserve \(U.S. National Park Service\) \(nps.gov\)](#)

## **Appendix H: Selected Bibliography**

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