



COLLECTIONS MANAGEMENT

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A. Purpose

This directive implements and establishes policies according to the *Smithsonian Institution Collections Management Guidelines*, approved by the Board of Regents and issued by the Secretary in May 1999 (Appendix A). Collections management is the deliberate development, maintenance, preservation, documentation, use, and disposition of collections. Collections include objects, natural specimens, artifacts, and other items that are acquired, preserved, and maintained for public exhibition, education, and study.

A. Purpose
(Continued)

The *Smithsonian Directive (SD) 600 Implementation Manual* provides technical guidance, advice, and information to assist collecting units in achieving the standards and implementing the policies set forth in this directive.

B. Background

The collecting units of the Smithsonian develop, maintain, preserve, research, interpret, and, in the case of living plants and animals, propagate, collections of art, artifacts, and natural specimens. The acquisition, preservation, management, and study of collections are fundamental to the Smithsonian's mission and have been the foundation upon which its reputation rests. Assembled over more than 150 years, the national collections are central to many of the core activities and to the vitality and significance of the Smithsonian. Collections serve as an intellectual base for scholarship, discovery, exhibition, and education. Collections also provide content for Smithsonian ventures such as publishing, licensing, and media projects.

Each Smithsonian collecting unit maintains its own unique collection, purpose, character, and role in achieving the Smithsonian's mission of "the increase and diffusion of knowledge." Among the vast collections are irreplaceable icons of the nation, examples of common life, and scientific material vital to the study of the world's natural and cultural heritage. Smithsonian collections represent a diverse range of materials and disciplines, including works of art, historical artifacts, natural and physical science specimens, living animals and plants, images, archives, libraries, audio and visual media, and their associated information. Together, they preserve the past, increase our understanding of society and the natural world in which we live, and support the research that expands human knowledge in the arts, humanities, and sciences. The scope, depth, and unparalleled quality of these collections make it

B. Background
(Continued)

imperative to ensure that they are properly preserved and made accessible for current and future generations to behold, enjoy, and study.

C. Applicability

This directive applies to all collecting units—Smithsonian units that have delegated collecting authority to acquire and manage collections. Only designated collecting units, as listed in the *SD 600 Implementation Manual*, have the authority to acquire and manage collections.

D. Authority and Responsibility

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

Collections management responsibilities are delegated as follows:

1. **The Board of Regents**, acting through the Secretary, the Under Secretaries, the Director - International Art Museums Division, and each collecting unit director, is responsible for assuring that
 - a. the scope of each collection supports the Smithsonian and collecting unit mission
 - b. collections growth is balanced with available resources
 - c. personnel, facilities, equipment, and support are reasonably allocated to meet the ongoing needs of the collections
 - d. prudent collections management policies are established, implemented, and monitored
2. The Board of Regents retains ultimate oversight authority and fiduciary responsibility for Smithsonian collections, which are dedicated to furthering the Smithsonian's mission for the "increase and diffusion of knowledge." The Board of Regents delegates to the Secretary operational oversight authority for the collections.

D. Authority and Responsibility
(Continued)

3. **The Secretary** is responsible for establishing and overseeing appropriate policies and programs and ensuring compliance with applicable laws and regulations. The Secretary may delegate to the Under Secretaries, the Director - International Art Museums Division, collecting unit directors, and other appropriate staff the responsibility to implement established policies and carry out the direct management and care of Smithsonian collections.
4. **The Under Secretaries and the Director - International Art Museums Division** ensure that Smithsonian collections are managed in compliance with this directive through oversight of collecting unit directors.
5. **The collecting unit director** is responsible for
 - a. unit policy guidance, program direction and planning, and budget support to carry out the collections management requirements established in this directive
 - b. establishing collecting priorities to guide the development of collections
 - c. establishment, review, and revision of unit collections management policies
 - d. unit compliance with this directive, *SD 600 Implementation Manual*, and unit collections management policy, including an annual report on compliance
 - e. delegating authority and assigning collections responsibility to the appropriate unit staff
6. A collecting unit may have an advisory board or commission, created by the Board of Regents or pursuant to federal statutes, to provide advice and assistance to the Board of Regents, Secretary, and collecting unit directors. The role of advisory boards or commissions with respect to collections shall be specified in bylaws approved by the Board of Regents. By statute or legal agreement, the Boards of the Archives of American Art, Hirshhorn Museum

D. Authority and Responsibility
(Continued)

- and Sculpture Garden, and National Museum of the American Indian have been given sole authority for specified collections management decisions. This authority shall be carried out in accordance with the general policies of the Board of Regents and applicable directives established by the Secretary, including this directive.
7. **Collecting unit staff members** are responsible for carrying out their delegated collections management responsibilities to ensure
 - a. implementation of established collections management policies and procedures
 - b. adherence to applicable professional practices
 - c. proper management, preservation, and use of collections
 - d. the integrity and accuracy of collections information
 8. **The National Collections Coordinator, National Collections Program, Smithsonian Institution Archives**, is responsible for
 - a. monitoring the implementation of this directive
 - b. ensuring the development and application of the *SD 600 Implementation Manual*
 - c. advising the Under Secretaries and Director - International Art Museums Division on the effectiveness and implementation of this directive
 - d. recommending revisions to this directive, as appropriate
 9. **Other central offices**, such as the Office of General Counsel, Office of Protection Services, and the Office of the Treasurer's Division of Risk Management, provide a collections management service function to Smithsonian collecting units as specified in this directive and the *SD 600 Implementation Manual*.
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E. Ethics

The Smithsonian recognizes and accepts its fiduciary responsibility to provide proper management, preservation, and use of the collections and associated information it holds for the benefit of the public.

Smithsonian staff have legal, ethical, and professional obligations to maintain high levels of honesty, integrity, and loyalty to the Institution. These standards of conduct are set forth in SD 103, *Standards of Conduct*. SD 103 establishes Smithsonian policy regarding ethical standards to which all Smithsonian employees are required to adhere. Each collecting unit must have established procedures for implementing the requirements of SD 103 as well as other standards of professional conduct set forth in the *SD 600 Implementation Manual*.

F. Accounting for Collections

Smithsonian collections are held for public exhibition, education, and research in furtherance of public service rather than financial gain. Collections are protected, kept unencumbered, cared for, and preserved, and they are subject to the requirement that proceeds from sales of collections are to be used to acquire other collection items. Accordingly, the Smithsonian does not treat its collections as assets for purposes of reporting in its financial statements. The Smithsonian adheres to the applicable financial reporting standards governing collections held in public trust as set forth in the *SD 600 Implementation Manual*. The National Collections Coordinator is responsible for submitting to the Office of the Comptroller the information required for disclosure on the Smithsonian's financial statement.

G. Exceptions

Prudent exceptions to Smithsonian collections management policy may be permitted in appropriate cases when in the best interests of the Smithsonian. Exceptions to this directive must be approved according to the process set forth here and in the *SD 600 Implementation Manual*. The Secretary will report

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- G. Exceptions**
(Continued)
- annually to the Board of Regents on all exceptions to these policies that have been authorized during the reporting period.
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- H. Unit Collections Management Policy Requirements**
- Smithsonian collections management is guided by the following principles:
- a. Each collecting unit develops, implements, and adheres to an authorized, written collections management policy to ensure the proper physical care and preservation of its collections; provide for the documentation of their identification, location, condition, and provenance; and ensure maximum accessibility consistent with their preservation, security, and legal considerations.
 - b. Collecting unit policies adhere to the policies set forth in this directive and guidelines established in the *SD 600 Implementation Manual* and are consistent with Smithsonian and unit missions and goals.
 - c. Collecting unit policies are periodically reviewed and, if necessary, revised and reauthorized.
 - d. All Smithsonian collections have access and accountability policies for their use and management.
- Each Smithsonian collecting unit designs policies specific to the nature, scope, and character of its collections. Collecting unit policies must have the approval of the National Collections Program, Office of General Counsel, appropriate Under Secretary or Director - International Art Museums Division, and the Secretary. Each collecting unit policy must include the following components and provisions.
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- 1. Introductory Statements**
- a. **Statement of purpose.** A statement of purpose clearly defines the collecting unit's mission, goals, and objectives with regard to collections. The collecting unit's statement of purpose adheres to all Smithsonian policies, including this directive, as well as empowering laws and statutes.

1. Introductory Statements
(Continued)

- b. **Primary statement of authority.** The statement describes the operational authority of the collecting unit, stipulating the role and responsibilities of boards, committees, advisory commissions, director, and staff regarding the delegation of authority for collection activities. Collecting units must clearly establish lines of authority and responsibility for all collection activities and emphasize the maintenance of complete, written records regarding all collections-related decisions and activities.
- c. **Definition of collections.** Smithsonian holdings include museum, archive, and library collections. Collections may be categorized by legal and curatorial status and the intended use of the collections. Collections include items (referred to here as “collection items”) acquired for accessioned, non-accessioned, supplementary, study, or research collections, provided the items are acquired, preserved, and maintained for public exhibition, education, or research.
- d. **Collecting scope statement.** Collecting units must establish a collecting scope statement that defines its collecting parameters, goals, and objectives in relation to its mission and existing collections. Collecting scope statements ensure logical, responsible collections growth by establishing well-defined goals and priorities that guide collecting activities.

2. Acquisition and Accessioning

Acquisition is the act of gaining legal title to a collection item or group of items.

Accessioning is the formal process used to acquire legally and to record a collection item or group of items into a Smithsonian collection.

**2. Acquisition and
Accessioning**
(Continued)

- a. **Principles.** The acquisition of collections is fundamental and critical to the vitality of the Smithsonian. The Smithsonian acquires collection items by a variety of methods, including gift, bequest, purchase, exchange, transfer, and field collecting. In addition, some Smithsonian collecting units may also acquire collections by propagation. The Smithsonian requires responsible, disciplined acquisition of collections through the following principles:
- (1) the acquisition of collections relevant to the mission and goals of the Smithsonian and individual collecting unit
 - (2) the establishment and periodic review of collecting scope statements which define collecting goals and priorities
 - (3) clear delegation of collecting authority within collecting units
 - (4) the use of formalized acquisition evaluation criteria
 - (5) strict adherence to professional ethics and all applicable laws and regulations relating to collections acquisition
- b. **Policy**
- (1) Collections may be acquired only in accordance with established authority and only when consistent with applicable law and professional ethics. All applicable federal, state, local, and international laws, treaties, regulations, and conventions will be observed and compliance documented.

**2. Acquisition and
Accessioning**
(Continued)

- (2) The Smithsonian observes the highest legal and ethical standards in the acquisition of collections. Collecting units shall exercise due diligence in the acquisition of collections, including making reasonable inquiries into the provenance of collection items under consideration for acquisition, to determine that the Smithsonian can acquire a valid title to the collection item and the acquisition will conform to all legal and ethical standards as set forth in the *SD 600 Implementation Manual*.
- (3) As a general rule, collection items are acquired and accessioned only when there is a good faith intention to retain them in the Smithsonian collections for an indefinite period of time. Exceptions to this rule may be approved in accordance with guidelines established in the *SD 600 Implementation Manual*.
- (4) As a general rule, the Smithsonian only acquires unrestricted collections. Exceptions to this rule may be approved in accordance with guidelines established in the *SD 600 Implementation Manual*.
- (5) Consultation with the appropriate Under Secretary or Director - International Art Museums Division is required before acquisition of any collection that would require substantial resources beyond the collecting unit's allocated budget or substantial resources of other Smithsonian units for the management or preservation of the collection.

**2. Acquisition and
Accessioning**
(Continued)

- (6) Among the various Smithsonian collecting units, some overlap in collecting is inevitable; however, competition for a particular acquisition is inappropriate. When more than one collecting unit seeks to acquire the same collection item, the directors concerned must agree on which unit will acquire the collection item. In those rare cases when the placement of a collection item cannot be resolved by the directors, the appropriate Under Secretaries and/or Director - International Art Museums Division will decide.
- (7) The Smithsonian will avoid competitive bidding with federal organizations for collection items of common interest and will seek mutually acceptable agreements whenever the potential for competitive bidding with such organizations becomes apparent.
- c. **Implementation.** Each collecting unit must
- (1) establish authority and assign responsibility to approve, document, and process acquisitions and accessioning
 - (2) incorporate applicable guidelines for acquisitions and accessioning set forth in the *SD 600 Implementation Manual*
 - (3) establish evaluation criteria for acquisitions
 - (4) establish appropriate methods of acquisition
 - (5) ensure documentation of legal title and provenance of collection items acquired

**3. Deaccessioning and
Disposal**

Deaccessioning is the process used to formally approve and record the removal of a collection item or group of items from the collecting unit's accessioned collections.

Disposal is the act of physically removing a collection item or group of items from a Smithsonian collection.

3. Deaccession and Disposal
(Continued)

- a. **Principles.** As a general rule, collections are acquired for Smithsonian collections only when there is a good faith intention to retain the material for an indefinite time period. Collections are retained as long as they continue to serve the goals and objectives of the Smithsonian and can be properly maintained and used.

Deaccessioning and disposal are a legitimate part of responsible collections management. Prudent collections management includes judicious consideration of appropriate deaccessioning and disposal. The periodic review, evaluation, deaccessioning, and disposal of existing collections is intended to refine and improve the quality and relevance of the collections with respect to the Smithsonian's mission and purpose. Deaccession and disposal procedures are designed to insure thoughtful, well-documented consideration of each proposed collection item in the context of the long-term interest of the Smithsonian, the general public, and the collection item.

Deaccessioning and disposal occur for a variety of reasons, such as deterioration of collection items beyond usefulness; duplication or redundancy of collection material; insufficient relationship of collection items to the mission and goals of the collecting unit such that they are judged to be better placed elsewhere; repatriation; and selection for consumptive research or educational use.

The Smithsonian disposes of collections by a variety of methods, such as donation, transfer, exchange, sale, repatriation, and destruction. In addition, some Smithsonian collecting units may also record disposal of collections by death.

3. Deaccession and Disposal
(Continued)

b. Policy

- (1) Collections may be deaccessioned and disposed of only in accordance with established authority and only when consistent with applicable law and professional ethics. All applicable federal, state, local, and international laws, treaties, and regulations and any other applicable restrictions will be observed and documented.
- (2) If the estimated value of a single collection item or a group of collection items considered for disposal is
 - (a) more than \$10,000, the collecting unit must obtain a written, independent appraisal or informed estimate of fair market value
 - (b) more than \$100,000, the collecting unit must obtain two written, independent appraisals or informed estimates of fair market value and approval of the deaccession and disposal from the Office of the General Counsel, the appropriate Under Secretary or Director - International Art Museums Division, and the Secretary
 - (c) more than \$500,000, the collecting unit must obtain two written, independent appraisals or informed estimates of fair market value and approval of the deaccession and disposal from the Office of the General Counsel, the appropriate Under Secretary or Director - International Art Museums Division, the Secretary, and the Board of Regents

3. Deaccession and Disposal
(Continued)

- (3) Smithsonian collecting units shall have a right of first refusal for collection items proposed for disposal, except as otherwise stipulated by authorizing legislation or other restrictions. Such transfers are without financial compensation, except when a collecting unit disposes of a collection item acquired through purchase.
 - (4) Proceeds realized from the disposal of collection items must be designated for additional collection acquisitions.
 - (5) The Secretary will report annually to the Board of Regents on deaccessions and disposals that have occurred during the reporting period.
- c. **Implementation.** Each collecting unit must
- (1) establish authority and assign responsibility to approve, document, and process deaccessions and disposals
 - (2) incorporate applicable guidelines for deaccessions and disposals set forth in the *SD 600 Implementation Manual*
 - (3) establish evaluation criteria for deaccessions and disposals
 - (4) establish appropriate methods of disposal

4. Preservation

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

4. **Preservation** (Continued)

- a. **Principles.** The Smithsonian has a responsibility to preserve and safeguard the collections it holds in trust for the public. Preservation is a critical and integral component of professional museum management and ensures that collections are available for use. The Smithsonian's ability to carry out its mission is directly related to its ability to preserve its collections and the information inherent in them. In addition, it is important that the Smithsonian preserve collection records and other documentary materials that support collections.

The Smithsonian is responsible for developing and implementing preservation strategies and policies that respect the diverse nature of its collections, while providing access to the collections. Preservation standards are developed in accordance with the mission of the collecting unit and the purpose or needs of the collection. The scope, significance, and quality of Smithsonian collections make it imperative that current research and educational use of collections is balanced with the need to preserve collections for future generations.

b. **Policy**

- (1) The Smithsonian shall provide the necessary preservation, protection, and security for all collections acquired, borrowed, and in the custody of the Institution, including their associated information.
- (2) The Smithsonian will balance current research and educational use with the preservation requirements of collection items to ensure that collections are maintained for future generations and rightfully serve their intended purpose.

4. Preservation
(Continued)

- (3) Any conservation intervention, restoration, destructive sampling, or consumptive use of collection items must be authorized, documented, and justified for the purpose of preservation or professional scholarship.
- c. **Implementation.** Each collecting unit must
- (1) establish authority and assign responsibility for the preservation of collections
 - (2) incorporate applicable guidelines for preservation set forth in the *SD 600 Implementation Manual*
 - (3) establish and implement preservation policies, standards and procedures in accordance with the mission of the collecting unit and the nature, purpose, and use of the collections
 - (4) ensure that collections and their associated information are cared for and maintained in conditions that preserve and extend their physical and intellectual integrity for use in exhibition, research, and education

5. Collections Information

Collections information is the documentation of the intellectual significance, physical characteristics, and legal status of collection items, as well as the collections management processes and transactions they undergo. Collections information is part of an ongoing process with documentation residing in a combination of manual files, electronic information systems, and media formats.

- a. **Principles.** The documentary value of a museum collection is a principal criterion for its excellence. Well-documented results of scientific, historic, and aesthetic research enable the Smithsonian to fulfill its mandate to increase and diffuse knowledge. The value of collections information lies in its quality, integrity, comprehensiveness, and potential for use.

The primary purpose of collections information is to provide access to Smithsonian collections, research findings, and the stories they can tell. To support this goal, the Smithsonian has a responsibility to

5. Collections Information
(Continued)

acquire, develop, and maintain collections information systems that enhance access to and accountability for its collections and research findings and to ensure long-term preservation of the resultant information in manual and electronic formats.

Collections information

- improves public and staff access to collections
- facilitates legal, physical, and intellectual control over collections
- enhances the informational integrity and value of collections as the foundation for research, exhibitions, publications, and educational programs

The Smithsonian is committed to the fundamental objective of effective use of its collections by placing collections information and images in computerized databases, maximizing the application of networked technologies, implementing professional documentation standards, and sharing collections information through collaborations among Smithsonian collecting units and with other educational and research institutions.

b. **Policy**

- (1) Collections information systems must support and meet Smithsonian and collecting unit missions and public access goals.
- (2) The Smithsonian seeks to provide the widest dissemination of collections information consistent with the stewardship responsibilities for its collections, associated documentation, and intellectual property rights.

**5. Collections
Information**
(Continued)

- (3) The Smithsonian will develop, implement, and maintain automated collections information systems to facilitate collections management and make collections information accessible to the general public, scholars, and Smithsonian staff for educational and research purposes.
 - (4) The provenance of acquired collection items is a matter of public record. Sensitive information involving privacy, collecting localities, intellectual property restrictions, security, and restricted use may constrain access to collections information.
 - (5) Collections information, including all records of collections-related decisions and activities, must comply with established collecting unit standards and be maintained according to accepted practice.
 - (6) The Smithsonian is responsible for collections data development, maintenance, preservation, and retention. All media containing collections information are maintained for long-term use and must be preserved according to current archival policy and standards.
- c. **Implementation.** Each collecting unit must
- (1) establish authority and assign responsibility for developing, managing, and preserving collections information
 - (2) establish authority and assign responsibility for developing and managing collections information systems
 - (3) incorporate applicable guidelines for collections information set forth in the *SD 600 Implementation Manual*
 - (4) define and establish a collections information policy to meet Smithsonian and collecting unit objectives

5. Collections Information
(Continued)

- (5) establish documentation standards to ensure the quality, integrity, comprehensiveness, proper maintenance, management, and dissemination of collections information
- (6) maintain collections information of the historical, scientific, or aesthetic significance; legal status; provenance; and the use and management of its collections and collections in its custody
- (7) promote the widest dissemination of collections information consistent with its stewardship responsibilities

6. Inventory

Inventory is an itemized listing of collection items, groups, or lots that identifies the current physical location of each item, group, or lot; the process of physically locating all or a selection of items for which the museum is responsible; and appropriate information to facilitate research, collections management, security, and access.

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

- a. **Principles.** Effective collections management requires a continuous inventory system to support decisions regarding collections use, growth, storage, and security. In addition to facilitating research, documentation, and storage, an ongoing inventory system is an essential security device to deter and detect theft of collection items. Inventory records serve as a tool for accountability, and are also useful in supporting other Smithsonian programs when augmented with additional documented information.

6. Inventory
(Continued)

Full inventory control requires creating and maintaining reliable information about the identification, location, and accessibility of collection items. Inventory is a critical component of ongoing collections documentation.

- b. **Policy.** In order to safeguard Smithsonian assets, assure compliance with applicable laws and regulations, and promote efficient use of resources, Smithsonian collecting units must create and maintain accurate and current inventory records.
- c. **Implementation.** Each collecting unit must
 - (1) establish authority and assign responsibility for conducting, supervising, and approving cyclical inventories and reconciliation of collection records
 - (2) incorporate applicable guidelines for inventory set forth in the *SD 600 Implementation Manual*
 - (3) establish and implement an inventory process and a written cyclical inventory plan appropriate to the character and size of the collections in its care in accordance with the *SD 600 Implementation Manual*
 - (4) ensure adequate separation of duties and other internal controls to minimize the possible unauthorized removal of collection items and corresponding records

7. Risk Management and Security

Risk management is the process of identification and evaluation of risk in order to prevent or minimize exposure to factors that may cause loss, damage, or deterioration of collections.

- a. **Principles.** The programmatic activities of the Smithsonian naturally involve an exposure of collections to risks of damage or loss. Exposure to risks can occur to a collection item when it is on exhibition or loan, in transit, in storage, or while

**7. Risk Management
and Security**
(Continued)

being studied, treated, or handled. Collections are exposed to a variety of risks that may be avoided, reduced, and insured through a systematic risk management assessment program.

Prudent collections management requires identification and elimination or reduction of risks to the collections. Risk management requires thoughtful review of potential hazards including natural disasters, vandalism, theft, disease, space and environmental deficiencies, human error, mechanical or operational system failure, and deterioration.

b. Policy

- (1) The Smithsonian will endeavor to minimize and control the level of risk of loss or damage to collections through established collections management practices.
- (2) Effective management controls are the responsibility of all Smithsonian managers and supervisors responsible for collections, who assure sufficient control and accountability in accordance with SD 115, *Management Controls*.
- (3) Smithsonian staff have the obligation to be aware of the Institution's risk management and security process. Staff must note and communicate to the appropriate office, in accordance with the guidelines set forth in the *SD 600 Implementation Manual*, situations that create the potential for damage or loss to collections, personal injury, or legal liability.
- (4) Risk management and insurance is coordinated at the Smithsonian by the Office of the Treasurer's Risk Management Division and governed by SD 108, *Insurance and Risk Management*.

**7. Risk Management
and Security**
(Continued)

- (5) Security is coordinated at the Smithsonian by the Office of Protection Services.
 - (6) Except in extraordinary circumstances, the Smithsonian does not insure its own collections while they are in the care and possession of the Smithsonian. Collections on loan to the Smithsonian and Smithsonian collections on loan to or in the custody of others will be insured as stipulated by authorized loan agreement or negotiated contract.
 - (7) Insurance proceeds from the settlement of claims for damage to Smithsonian collections will be used for the conservation and restoration of the specific collection item. Insurance proceeds received on account of a total loss of a collection item or in excess of the cost of conservation and restoration of a damaged collection item will be designated for collections acquisition.
 - (8) The Smithsonian maintains a disaster preparedness program that includes planning, response, and recovery from major disasters as well as evaluation and assessment following an incident. All Smithsonian facilities, owned or leased, must have a written, comprehensive disaster preparedness plan as required by SD 109, *Disaster Preparedness*.
- c. **Implementation.** Each collecting unit must
- (1) establish authority and assign responsibility for risk management and security activities
 - (2) incorporate applicable guidelines for risk management and security set forth in the *SD 600 Implementation Manual*
 - (3) ensure that collections are maintained in controlled areas that are adequately protected against fire, theft, vandalism, and natural disaster

**7. Risk Management
and Security**
(Continued)

- (4) establish authority and assign responsibility for the development, implementation and coordination of the unit's disaster preparedness plan and program
- (5) establish and implement a written comprehensive disaster preparedness plan for its facilities
- (6) establish a security plan that protects the collections during both normal and high-risk activities
- (7) establish procedures for immediately reporting and documenting damage, loss, or possible theft of collections in its custody and on loan

8. Access

Access is the opportunity for the general public, scholars, and Smithsonian staff to utilize the diverse collection resources of the Smithsonian Institution.

- a. **Principles.** To carry out its mission for "the increase and diffusion of knowledge," the Smithsonian promotes access to its collections and associated information through research opportunities, traditional and electronic exhibitions, educational programs and publications, reference systems, loan and exchange of collections, and electronic information services.
- b. **Policy**
 - (1) The Smithsonian will provide reasonable access to its collections and collections information consistent with its stewardship responsibilities. Physical and intellectual access to the collections must be balanced against preservation and protection concerns.
 - (2) In keeping with its stewardship responsibilities, the Smithsonian will control, monitor, and document all access to and use of collections.

8. Access
(Continued)

- (3) Access to collections and collections information may be restricted due to resource limitations, security, object availability, intellectual property rights, applicable restrictions, and preservation constraints.
- (4) Access fees may be charged only according to approved collecting unit policies in accordance with guidelines set forth in the *SD 600 Implementation Manual*.
- (5) The Smithsonian Institution is not subject to the Freedom of Information Act (FOIA), which governs access by the public to federal agency records. The Smithsonian follows the intent and spirit of the law as a matter of policy. All requests citing FOIA must be referred to the Office of General Counsel.

c. **Implementation.** Each collecting unit must

- (1) establish authority and assign responsibility to control, monitor, document, and provide access to physical collections and collections information
- (2) incorporate applicable guidelines for access set forth in the *SD 600 Implementation Manual*
- (3) establish policies, criteria, and procedures for permitting responsible access to physical collections and collections information

9. Loans

A *loan* is the temporary transfer of possession of collection items for an agreed purpose and on the condition that the collection item is returned at a specified time. Loans do not result in a change of ownership.

9. Loans
(Continued)

- a. **Principles.** Lending and borrowing collection items for public exhibition, research, and education is an integral part of the Smithsonian's mission. Loans between Smithsonian collecting units are fundamental to Institutional programs, as are loans to and from other educational and scientific organizations.

The Smithsonian adheres to the *Guidelines for Exhibiting Borrowed Objects* issued by the American Association of Museums (AAM). The text of the guidelines is included in the *SD 600 Implementation Manual*.

b. **Policy**

- (1) A collection item may be lent or borrowed only in accordance with established authority and only when consistent with applicable law and professional ethics.
- (2) As a general rule, Smithsonian collections will only be lent for public exhibition, research, and other educational purposes. Smithsonian collections may not be lent for commercial purposes or private pecuniary gain.
- (3) All loans are for a specified time period with option for renewal if appropriate. The Smithsonian does not permit indefinite or permanent loans.
- (4) Collections on loan to the Smithsonian and Smithsonian collections on loan to or in the custody of others will be insured as stipulated by an authorized loan agreement.
- (5) All loans to or from the Smithsonian must adhere to applicable federal, state, local, and international laws, treaties, and regulations.

9. Loans
(Continued)

(6) The Smithsonian may charge loan fees in addition to actual expenses from borrowing organizations according to approved collecting unit policies in accordance with guidelines in the *SD 600 Implementation Manual*.

(7) The Smithsonian lends collection items to high-ranking government officials according to guidelines established in the *SD 600 Implementation Manual*.

(8) Collection loans that are part of an affiliation with another organization are subject to the Affiliation Policy adopted by the Board of Regents in September 1996, this directive, and guidelines for loans set forth in the *SD 600 Implementation Manual*.

(9) Regardless of the length and type of loan, the Smithsonian retains fiduciary responsibility for the continued oversight of its collections.

c. **Implementation.** Each collecting unit must

- (1) establish authority and assign responsibility to approve, process, document, and monitor loans
- (2) incorporate applicable guidelines for loans set forth in the *SD 600 Implementation Manual*
- (3) establish policies, criteria, and procedures for lending and borrowing collections
- (4) apply the provisions of the AAM Guidelines specified above in its borrowing activities

10. Intellectual Property Rights

Intellectual property rights are rights and protections based on federal or state statutes or common law such as patent, trademark, copyright, privacy, and publicity.

10. Intellectual Property Rights
(Continued)

- a. **Principles.** The Smithsonian is both a holder and a user of intellectual property rights and therefore seeks to protect the intellectual integrity of collections and promote wide access to collections for educational purposes. In support of its mission to “increase and diffuse knowledge,” the Smithsonian strives to protect the intellectual property rights of creators and intellectual property owners, including the Institution itself as rights holder, and promote the responsible dissemination of knowledge.

Intellectual property rights are distinct from the right to possess the collection item itself and arise from its content. Holders of such rights may limit the uses that may be made of a collection item. The Smithsonian’s ability to use collection items or associated intellectual property may be subject to intellectual property rights held by others.

b. **Policy**

- (1) Smithsonian collections may be subject to intellectual property rights that may be owned by the Smithsonian or others. The Smithsonian will manage its collections and collections in its custody in a manner to avoid any infringement of intellectual property rights while promoting the widest possible dissemination of information about the collections. The Smithsonian will protect the intellectual property rights of creators and intellectual property owners, including the Institution itself as rights holder.
- (2) The Smithsonian may charge fees to outside organizations and individuals to use images of collection items. Image use and reproduction policies may reflect a fee schedule that distinguishes between different types of uses including educational, not-for-profit, and

10. Intellectual Property Rights
(Continued)

commercial purposes in accordance with SD 805, *Handling Outside Permission Requests to Use Smithsonian Images*, and the *SD 600 Implementation Manual*.

- (3) The Smithsonian may rely on the doctrine of fair use in making reproductions of collections for standard museum purposes, such as archival, research, educational, exhibition, and other similar uses. Fair use determinations must be made on a case-by-case basis, taking into consideration the legal parameters of the fair use doctrine.
- c. **Implementation.** Each collecting unit must
- (1) establish authority to approve permissible use of collections information and images and assign responsibility for rights management
 - (2) incorporate applicable guidelines for intellectual property rights set forth in the *SD 600 Implementation Manual*
 - (3) establish policies and procedures to ascertain whether collection items or proposed acquisitions are encumbered by intellectual property rights or other restrictions and to determine what steps are required to obtain any rights necessary for the intended use of the item
 - (4) establish policies and procedures for handling and documenting outside requests and permissions to publish or reproduce collections information and images in conformance with SD 805, *Handling Outside Permission Requests to Use Smithsonian Images*, and the *SD 600 Implementation Manual*
 - (5) determine permissible uses of its collections information and images consistent with the mission of the Smithsonian and collecting unit and establish appropriate fee schedules accordingly

10. Intellectual Property Rights
(Continued)

- (6) ensure that collection records are consulted for possible restrictions or prohibitions to determine permissible image use and reproduction by the Smithsonian and others in all media formats such as print, electronic, audio, video, and the Internet
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11. Specific Legal and Ethical Issues

Certain types of collections present specific issues because of applicable legal and ethical standards. Collecting units that acquire, hold, or manage collections of these types must take these legal and ethical issues into account, including incorporating appropriate standards in the collecting unit collections management policy.

a. **Native American and Native Hawaiian Human Remains and Objects**

- (1) **Principles.** Native American and Native Hawaiian human remains, funerary objects, sacred objects, and objects of cultural patrimony are subject to the terms of the National Museum of the American Indian (NMAI) Act, as amended, 20 U.S.C. § 80q. Under the NMAI Act the Smithsonian is required to compile information about such material, to disseminate the information to and consult with tribes about collections that may be subject to repatriation, and, in certain circumstances, to return such material to affiliated Native American tribes, Native Hawaiian groups, or specified individuals. The Smithsonian Institution Repatriation Review Committee, established by the NMAI Act, serves as an advisory body to the Secretary or his designee on application of the NMAI Act. The applicable NMAI Act standards and guidelines for compliance are set forth in the *SD 600 Implementation Manual*.

11. Specific Legal and Ethical Issues
(Continued)

In addition to the applicable requirements of the NMAI Act, collecting units with Native American and Native Hawaiian collections should be aware of and sensitive to other issues that arise out of cultural concerns of Native American tribes or Native Hawaiian groups. Such concerns may relate to appropriate standards for the use and management of Native American or Native Hawaiian objects and interests in the intellectual content associated with such objects. Collecting units are encouraged to consult with Native American tribes and Native Hawaiian groups associated with objects in their collections and to take their interests into account in establishing policies for the management of these collections, provided that such policies are consistent with applicable law and the Smithsonian's duties for the care and management of its collections.

(2) **Policy**

- (a) Smithsonian repatriation of Native American and Native Hawaiian human remains and objects is governed by the requirements set forth in the National Museum of the American Indian Act, 20 U.S.C. § 80q (1989), as amended.
- (b) Final repatriation decisions are made by the Secretary or his designee, except for the collections of the National Museum of the American Indian. In accordance with the NMAI Act, the Board of Trustees of NMAI has sole authority to dispose of any part of NMAI collections. All repatriation decisions are subject to the general policies of the Board of Regents.

11. Specific Legal and Ethical Issues
(Continued)

- (c) Any Native American or Native Hawaiian collections whose repatriation is not required by the NMAI Act shall be managed in accordance with this directive. Decisions to return or repatriate collection items outside the scope of the NMAI Act will be evaluated and processed in accordance with routine and established deaccession and disposal policies and criteria.

(3) Implementation

- (a) Each collecting unit must determine if its collections include Native American or Native Hawaiian materials to which the requirements of the NMAI Act may be applicable.
- (b) Any collecting unit with Native American and Native Hawaiian collections must
 - i. develop written policies and procedures consistent with the legal requirements of the NMAI Act as outlined in the *SD 600 Implementation Manual*
 - ii. assign responsibility to complete the inventories and summaries, according to requirements of the NMAI Act, and assess the cultural affiliation of the collections
 - iii. establish authority and assign responsibility to review, evaluate, document, and process repatriation requests and returns
- (c) Each collecting unit must establish authority and assign responsibility to review proposed acquisitions for applicability.

11. Specific Legal and Ethical Issues
(Continued)

b. Cultural Property

- (1) **Principles.** The Smithsonian Institution Policy on Museum Acquisitions, adopted by the Board of Regents on May 9, 1973, confirms the Smithsonian support for efforts of local, state, national, and international authorities to protect art, antiquities, national treasures, and ethnographic material from destructive exploitation. The Smithsonian repudiates the illicit traffic in art and cultural objects that contributes to the despoliation of museums and monuments and the irreparable loss to science and humanity of archeological remains. Objects and specimens that have been stolen, unscientifically gathered or excavated, or unethically acquired should not be made part of Smithsonian collections. The Policy on Museum Acquisitions sets forth rules for the acquisition and borrowing of art, antiquities, and other specimens. The text of the Policy is included in the *SD 600 Implementation Manual*.
- (2) **Policy**
 - (a) All collecting unit collections management policies and activities will comply with the Smithsonian Institution Policy on Museum Acquisitions.
 - (b) Before acquiring or borrowing a collection item, the collecting unit must ascertain, from the circumstances surrounding the transaction or knowledge of the item's provenance, that the collection item was not stolen or wrongfully converted and is not illegally present in the United States.

11. Specific Legal and Ethical Issues
(Continued)

- (c) Before acquiring or borrowing a collection item, the collecting unit must ascertain that the collection item was not unethically acquired from its source, unscientifically excavated, or illegally removed from its country of origin after May 9, 1973.
 - (d) The provenance of collection items shall be a matter of public record.
- (3) **Implementation.** Each collecting unit must
- (a) establish authority and assign responsibility for ensuring compliance with the Policy on Museum Acquisitions
 - (b) incorporate applicable guidelines for acquiring, borrowing, and managing cultural property as set forth in the *SD 600 Implementation Manual*

c. **Biological Material**

- (1) **Principles.** The Smithsonian has long been a leader in the effort to halt the continuing degradation of the world's natural history and environmental resources. Smithsonian research and collecting activities must be undertaken with sensitivity to continued protection of biological diversity and in compliance with applicable laws protecting animal and plant species, especially those that are threatened or endangered. Field studies and collecting of biological material should be preceded by disclosure and consultation with the proper authorities and interested scientific institutions in the location of the fieldwork. Field activities must be conducted lawfully, support educational and scientific purposes, and not cause undue detriment to the biodiversity and ecological conditions in the area of the activity.

11. Specific Legal and Ethical Issues
(Continued)

(2) Policy

- (a) Biological material may be acquired by or on behalf of the Smithsonian through field collecting only when such collecting is legally authorized; the biological material is obtained solely for purposes of scientific research, to add to the Smithsonian collections, or for other educational purposes; and the Smithsonian's field activities will not cause undue detriment to the biodiversity and ecological conditions in the area of the activity.
- (b) The Smithsonian name may not be used to justify or support permit applications for activities that have not been authorized by or on behalf of the Smithsonian in accordance with this directive, the *SD 600 Implementation Manual*, and collecting unit policy.
- (c) The Smithsonian will acquire or borrow biological material collected or obtained by others only if it is consistent with established collecting unit criteria for the transaction and applicable international, national, state, local, and tribal laws.
- (d) Biological material in Smithsonian collections or custody will be managed in accordance with applicable legal requirements.

- (3) Implementation.** Each collecting unit with responsibility for biological materials must
- (a) establish authority and assign responsibility to approve, document, and ensure compliance with legal requirements for all biological material collections transactions

11. Specific Legal and Ethical Issues
(Continued)

(b) incorporate applicable guidelines for acquiring, borrowing, and managing biological material as set forth in the *SD 600 Implementation Manual*

d. **Unlawful Appropriation of Objects during the Nazi Era**

- (1) **Principles.** Between 1933 and 1945, the Nazi Regime caused the unlawful appropriation of millions of art objects and other cultural property from their rightful owners, including private citizens; victims of the Holocaust; public and private museums and galleries; and religious, educational, and other institutions. Some of these objects ultimately were transferred, in good faith and without knowledge of their prior unlawful appropriation, through the legitimate market and may have been acquired by museums. In recent years, public awareness of the extent and significance of Nazi looting of cultural property has grown significantly.

The Smithsonian adheres to the *Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era*, issued by the American Association of Museums (AAM), and, where applicable, the *Report of the Association of Art Museum (AAMD) Directors Task Force on the Spoliation of Art during the Nazi/World War II Era*. The text of these documents is included in the *SD 600 Implementation Manual*.

(2) **Policy**

- (a) The Smithsonian shall not knowingly acquire collection items that were unlawfully appropriated during the Nazi era without subsequent restitution.

12. Specific Legal and Ethical Issues
(Continued)

- (b) If the Smithsonian has acquired in good faith a collection item that is subsequently determined to have been unlawfully appropriated during the Nazi era without restitution, the Smithsonian will take prudent and necessary steps to resolve the status of the collection item.
 - (c) Each collecting unit shall apply the applicable provisions of the AAM and AAMD guidelines to its collections management activities.
- (3) **Implementation.** Each collecting unit will
- (a) establish authority and assign responsibility to approve, document, and ensure compliance with Smithsonian policy on Nazi-appropriated objects and applicable guidelines
 - (b) incorporate applicable guidelines concerning Nazi-appropriated objects as set forth in the *SD 600 Implementation Manual*

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SMITHSONIAN COLLECTIONS MANAGEMENT GUIDELINES**Board of Regents****May 10, 1999****I. INTRODUCTION****A. Purpose**

This Statement provides guidelines and direction for the establishment and maintenance of Smithsonian Institution policy regarding collections management. The Smithsonian develops and adheres to authorized, written collections management policies to ensure the proper physical care and preservation of its collections; provide for the documentation of their identification, location, condition, and provenance; and assure maximum accessibility consistent with their preservation. To carry out these guidelines, the Secretary will establish appropriate directives to provide more detailed policies and requirements to be followed by all Smithsonian units with responsibility for collections.

B. Background

The Smithsonian develops, maintains, preserves, researches, interprets, and, in the case of living plants and animals, propagates, collections of art, artifacts, and natural specimens. The acquisition, preservation, management, and study of collections have been fundamental to the Smithsonian's mission since its creation, and have been the foundation upon which its reputation rests. Assembled over the past 150 years, the national collections are central to many of the core activities and to the vitality and significance of the Smithsonian. Collections serve as an intellectual base for scholarship, discovery, exhibition, and education. Collections also provide content for Smithsonian ventures such as publishing, licensing, and media projects.

Each Smithsonian collecting unit maintains its own unique collection, purpose, character, and role in the increase and diffusion of knowledge. Among the vast collections are irreplaceable icons of the nation, examples of common life, and scientific material vital to the study of the world's natural and cultural heritage. Smithsonian collections comprise a diverse array, including: works of art, historical artifacts, specimens of life and physical sciences, living animals, photographs, moving images, archival documents, electronic data, audio records, books, and manuscripts. Together, they preserve the past, increase our understanding of society and the natural world in which we live, and support the research that expands human knowledge in the arts, humanities, and sciences alike. The scope, depth, and unparalleled quality of these collections make it

imperative to ensure that they are properly preserved and made accessible for current and future generations to behold, enjoy, and study.

C. Authority and Responsibility

The acquisition and possession of collections imposes legal and ethical obligations to provide proper management, preservation and care for the collections and their associated information. To carry out these obligations, the Smithsonian is responsible for assuring that:

- the scope of each collection supports the Smithsonian and collecting unit mission,
- collections growth is balanced with available resources,
- personnel, facilities, equipment, and other resources are reasonably allocated to meet the on-going needs of the collections, and
- prudent collections management policies are established, implemented, and monitored.

The Board of Regents has ultimate authority for Smithsonian collections, which are dedicated to furthering the Smithsonian's mission for the increase and diffusion of knowledge. The Board of Regents delegates to the Secretary operational authority for the collections. The Secretary is responsible for establishing and overseeing appropriate policies and programs and ensuring compliance with applicable laws and regulations. The Secretary may delegate to the Provost, Under Secretary, collecting unit directors, and other appropriate staff the responsibility to implement established policies and carry out the direct management and care of Smithsonian collections.

A collecting unit may have an advisory Board or Commission, created by the Board of Regents or pursuant to federal statutes, to provide advice and assistance to the Board of Regents, Secretary, and collecting unit directors concerning collections management issues. The role of advisory Boards and Commissions with respect to collections shall be specified in bylaws approved by the Board of Regents. By statute or legal agreement, the Boards of the Archives of American Art, Hirshhorn Museum and Sculpture Garden, and National Museum of the American Indian have been given sole authority for specified collections management decisions. This authority shall be carried out in accordance with the general policies of the Board of Regents and in applicable directives established by the Secretary to implement these guidelines.

D. Ethics

The Smithsonian recognizes and accepts its fiduciary responsibility to provide proper management, preservation, and use of the collections and associated information it holds for the benefit of the public. Smithsonian staff have legal, ethical, and professional obligations to maintain high levels of honesty, integrity, and loyalty to the Institution. These standards of performance are set forth in the Smithsonian Standards of Conduct (Smithsonian Directive 103) and professional codes of ethics. All collections management activities must adhere to applicable standards of conduct and professional ethics.

E. Accounting for Collections

Smithsonian collections are held for public exhibition, education, or research in furtherance of public service rather than financial gain. They are protected, kept unencumbered, cared for, and preserved, and are subject to the requirement that proceeds from sales of collections are to be used to acquire other collection items. Accordingly, the Smithsonian does not treat its collections as “assets” for purposes of reporting in its financial statements. The Smithsonian adheres to the applicable financial reporting standards governing collections held in public trust.

II. POLICY GUIDELINES

Applicable Smithsonian directives on collections management shall include the following policies. Prudent exceptions to these policies may be permitted in appropriate cases when in the best interests of the Smithsonian. The Secretary will establish guidelines and a process for review and approval of requests for exceptions.

A. Acquisition

Collections may be acquired only in accordance with established authority and only when consistent with applicable law and professional ethics. Applicable federal, state, local, and international laws, treaties, and regulations will be observed and documented. Each collecting unit must ensure documentation of legal title of collection items acquired.

All collections acquired must be in compliance with the Smithsonian Institution Policy on Museum Acquisitions (May 9, 1973) and Smithsonian Policy on Collecting Biological Specimens (February, 1992).

B. Deaccession & Disposal

Collections may be deaccessioned and disposed of only in accordance with established authority and only when consistent with applicable law and professional ethics. Applicable federal, state, local, and international laws, treaties, and regulations and any other applicable restrictions will be observed and documented.

Prudent collections management includes judicious consideration of appropriate deaccessioning and disposal. The periodic review, evaluation, and deaccessioning and disposal of existing collections is intended to refine and improve the quality and relevance of the collections with respect to the Smithsonian's mission and purpose.

The Secretary will establish guidelines and a process for review and approval of proposed deaccessioning of collections, which shall include approval by the Board of Regents of significant deaccessions. The Secretary will report annually to the Board on all deaccessions that have occurred during the reporting period.

Smithsonian collecting units shall have a right of first refusal for collection items proposed for disposal, except as otherwise stipulated by authorizing legislation or other restrictions. Such transfers are without financial

compensation, except when a museum disposes of a collection item acquired through purchase.

Proceeds realized from the disposal of collection items must be designated for additional collection acquisitions.

C. Native American Human Remains and Objects

Smithsonian repatriation of Native American and Native Hawaiian human remains and objects is governed by the requirements set forth in the National Museum of the American Indian Act, 20 U.S.C. § 80q et seq. (1989), as amended (the "NMAI Act"). The Secretary will establish guidelines for implementation of the requirements of the NMAI Act.

Any Native American or Native Hawaiian collections whose repatriation is not required by the NMAI Act shall be managed in accordance with generally applicable directives established by the Secretary.

D. Preservation

The Smithsonian shall provide the necessary preservation, protection, and security for all collections acquired, borrowed, and in the custody of the Institution including their associated information. Activities that involve collections must not compromise the preservation requirements of the collection items.

E. Risk Management & Security

The Smithsonian shall endeavor to minimize and control the level of risk of loss or damage to collections through established collections management practices.

Except in extraordinary circumstances, the Smithsonian does not insure its own collections while they are in the care and possession of the Smithsonian. Collections on loan to the Smithsonian and Smithsonian collections on loan to or in the custody of others will be insured in accordance with guidelines and directives established by the Secretary.

F. Inventory

In order to safeguard Smithsonian assets, assure compliance with applicable laws and regulations, and promote efficient use of resources, Smithsonian collecting units must establish and implement a cyclical inventory plan and maintain accurate and current inventory records in

accordance with the guidelines and directives established by the Secretary.

G. Access

The Smithsonian will provide reasonable open and equal access to its collections and collections information consistent with its stewardship responsibilities. Physical and intellectual access to the collections must be balanced against preservation and protection concerns. Access to collections and collections information may be restricted due to resource limitations, security, object availability, intellectual property requirements, applicable restrictions, and preservation constraints.

H. Loans

As a general rule, Smithsonian collections will only be lent for research, educational and other non-profit purposes. Smithsonian collections may not be lent for commercial purposes or private pecuniary gain. All loans to or from the Smithsonian must adhere to applicable federal, state, local, and international laws, treaties, and regulations.

Collection loans that are part of an affiliation with another organization shall be governed by the Affiliation Policy adopted by the Board of Regents in September 1996 and applicable affiliation guidelines established by the Secretary.

I. Documentation

The Smithsonian seeks to provide the widest dissemination of collections information consistent with the stewardship responsibilities for its collections, associated information, and intellectual property rights. Collecting units must maintain documentation of the historical, scientific, or aesthetic significance; legal status; provenance; and the use and management of its collections and collections in their custody, in accordance with directives established by the Secretary.

The Secretary will establish guidelines and standards for collections documentation that will ensure appropriate legal and intellectual control of the collections.

J. Intellectual Property Rights

Smithsonian collections may be subject to intellectual property rights that may be owned by the Smithsonian or others. The Smithsonian will manage its collections in a manner to avoid any infringement of intellectual property rights while promoting the widest possible dissemination of information about the collections.