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# Contemplating the Future: Deaccessioning Federal Archaeological Collections

*S. Terry Childs*

**T**he practical constraints on archaeological collection storage and curatorial staffing that exist today and will continue into the twenty-first century are forcing attention to the controversial issue of deaccessioning. Although many archaeologists argue that deaccessioning challenges the goals and ethics of archaeological practice, it may be imposed on federal archaeological collections for reasons having nothing to do with the discipline. This article examines the issues involved in deaccessioning archaeological collections with particular focus on the huge numbers of collections under federal ownership. The article considers directions that archaeologists might pursue in order to minimize any debilitating effects of deaccessioning on the profession and to maximize relationships with curators and various groups, particularly Native Americans, whose cultural heritage might be affected.

Federal government agencies are responsible for well over sixty million archaeological objects excavated from public lands (Wilson 1999). That number does not include the thousands of linear feet of records associated with those objects. It is now well known that many of these collections are housed in overstuffed and understaffed repositories, both federal and non-federal, across the U.S. (Childs 1995; GAO 1988; Trimble and Meyers 1991). Many are curated in hundreds of non-federal repositories that have received little or no funding over the years and are now further challenged by the requirements of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) and the escalating costs of long-term curation (Childs 1998). As a result, frustrated federal archaeologists and curators of archaeological collec-

tions are increasingly asking for information about the status of the proposed regulation on deaccessioning federally owned or administered archaeological materials.<sup>1</sup> Many also want to tell a heart-rending story about the need to deaccession objects.

One archaeologist, for example, explained that she found twenty boxes of mass-produced tin cans from the 1930s in a collection that was excavated from federal lands. These tin cans have no historic value, are highly redundant, take up a lot of valuable storage space, were inadvertently collected (in hindsight), and have already been sampled for possible future study. Does she have the authority to dispose of these materials after careful consideration and preparation? In another case, Congress authorized a land swap of the Phoenix Indian School, a Bureau of Indian Affairs property, for private acres in Florida to be added to National Park Service (NPS) property. The NPS was designated caretaker of the school, which closed in 1990. Subsequently, compliance under Section 106 of the National Historic Preservation Act of 1966 was conducted at the school and a collection resulted. The site was then deemed eligible for the National Register, so more extensive data recovery has yielded a large and interesting collection. The Pueblo Grande Museum, located in Phoenix, formally expressed interest in curating the recovered objects in its new facility. However, a federal solicitor decided that NPS was responsible for curating the collections even though they were not from NPS lands. Is there any mechanism to transfer ownership title of this federal collection to a responsible, local museum instead of housing it in a NPS facility many miles away?

A typical response to these kinds of queries involves a statement and several questions. The statement is simple and straightforward. The regulation on procedures to deaccession federally owned or administered archaeological materials that was proposed in September 1990 to be included in *Curation of Federally-Owned and Administered Collections* (36 CFR Part 79) has not been finalized. Only eight responses were received during the public comment period following publication in the *Federal Register*. Since the comments concerned many parts of the proposed regulation and were contentious, the proposed regulation was tabled for later action. This means that federal archaeological collections cannot be discarded or deaccessioned at this time or until the 1990 proposed regulation is promulgated, except under the Native American Graves Protection Act (NAGPRA) or under the uniform regulations of the Archaeological Resources Protection Act (43 CFR Part 7.33).

The questions that immediately follow this statement reveal some empathy for situations in which many competent archaeologists and curators find themselves. In what context were the archaeological objects found? How well do the objects relate to the original project design and collecting strategy? Have the object(s) been accessioned and cataloged? How extensive is the documentation associated with the collection? How well do they fit into both the repository's scope of collections and the federal agency's scope of collections (if it has one)? If the collection was sampled, how was it done and by whom? Is the sample representative of the original collection?

Although federal archaeological collections cannot be deaccessioned at this time no matter what answers are given, these questions point out key issues that need to be addressed, particularly by archaeologists. These are examined in the following discussion in order to show the complexity of the matter. Some steps are then offered toward developing a comprehensive plan to minimize the need to deaccession or discard materials in the future; conduct careful, ethical deaccessioning when necessary; and minimize the impact of deaccessioning archaeological objects on the integrity of the whole collection, on future study and interpretation of the archaeological record, and on the tangible heritage of the culture groups directly tied to those collections.

## Arguments against Archaeological Deaccessioning

Although recently there has been increased interest in deaccessioning by the museum profession (AAM 1994; Malaro 1985; Miller 1996), the archaeological community has not adequately dealt with the subject because of the thorny, sometimes contradictory issues that plague deaccessioning. There are many archaeologists, particularly those who know little about the demands and constraints of curation, and some curators who are outright opposed to it. They are driven by a number of considerations, which relate to well-established professional practices and ethics. Interestingly, many archaeologists and curators have been involved in deaccessioning over recent years, although their colleagues may not recognize it as such due to inadequate education. NAGPRA requires that federally funded repositories return Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony to their rightful tribal owners. As museums and other institutions "repatriate" hundreds of thousands of objects to tribes, they are deaccessioning the objects from their collections (e.g., NPS 1996; Sonderman 1996).

One of the considerations that trouble many archaeologists about deaccessioning is the professional recognition and ethic that archaeological sites and the objects recovered from them are non-renewable and must be conserved (Lipe 1974; SAA 1996). Within the sphere of the federal government, the conservation ethic has underscored the *raison d'être* of doing archaeology—all sites and objects are critical to and have long-term value for understanding our nation's heritage (Dunnell 1984; Raab 1984; cf. Lipe 1996). A second tenet is implied in the codes for the Society for American Archaeology and Society of Professional Archaeologists: all materials are to be retrieved during professional activities and curated in consideration of "the interests of other researchers" (SOPA 1991). Implicit in both of these principles is the conviction that all archaeologically derived objects may have research value to some professional at some future time and therefore should be collected as a contribution to a perpetually aggregating database useful for research.

A third consideration is the increasing use of accessible collections by archaeologists, particularly graduate students (Nelson and Shears 1996). The

possible impact of deaccessioning on collections research must be carefully evaluated in this context, particularly regarding adequate sample sizes over the long term. Moreover, researchers may incur potential problems if the overall integrity of a collection is jeopardized when it is broken up and/or disposed through deaccessioning. Splitting up collections goes against professional curation standards that emphasize the enhanced research value of an intact collection. In addition, archaeological method and theory requires that each individual object be evaluated and interpreted within the context of the site and of the entire assemblage from that site.

There are also some archaeologists who want all collections curated for their potential, future scientific value as new methodologies are developed to tease out fresh information from objects. Radiocarbon dating, scanning electron microscopy, residue analysis, and metallography are just a few of the many scientific techniques that have been developed for or adapted to the study of archaeological objects over the last forty or more years with very significant results. Although many recognize the benefits of sampling collections, especially highly redundant objects, others fear that inexperienced personnel may take sample sizes that are inadequate in both numbers and range of diversity. What happens, they ask, if a number of researchers want to use a particular collection for various types of destructive analysis and the sampled collection is wiped out for future study? Not only is research jeopardized but the loss of a collection or portion of one directly undermines the conservation ethic mentioned above (Dunnell 1984).

A final and important consideration in the debate over deaccessioning federal archaeological collections involves their ownership. There are still disputes over the ownership of many federally associated collections whether between a museum and a federal agency or between agencies. Deaccessioning materials or collections must never be done by parties who do not have legal title and custody of the items, even if their intentions or rationales are good ones (Bacharach 1996).

### Arguments For Deaccessioning Archaeological Collections

On the other side of the argument, there is increasingly little space to house new collections and related records, and insufficient staff to accession

and catalog objects. Conservation, providing long-term care, and making the collections accessible to researchers and the public are other important matters that have often been difficult to handle at many repositories (Childs 1995; Trimble and Meyers 1991). A curated archaeological collection is not just the "best" or most interesting objects from an excavation or survey, it includes everything recovered during a project. Furthermore, relatively few new curation facilities are being built to accommodate the large numbers of new collections generated each year by federal compliance activities based on various laws enacted since the early 1970s. Fortunately, some federal and some private, non-federal repositories have succeeded in adding new space to their facilities in recent years.

Many American archaeologists who work in foreign countries are forced to understand and deal with this issue on a regular basis. My experiences in Africa, for example, are with the director or curator of a national museum. Contending with tremendous space restrictions, he or she will often tell a foreign archaeologist how much space will be allotted for a new collection. This means that the archaeologist must make some profound and difficult decisions at the site and in the field laboratory well before bringing a new collection to the museum. Such decisions relate to a fundamental issue in this controversy—the relative significance of specific artifacts, portions of collections, and whole collections (cf. Dunnell 1984). Some repository staff increasingly question the significance of highly redundant archaeological objects in a collection that takes up an inordinate amount of storage space. Why, they ask, are not such objects deaccessioned from old collections to make room for "important" new materials? They also wonder why similarly redundant materials are still being accessioned into new project collections. Experienced curators and collections managers find that many archaeological collections, accessioned and cataloged in order to amass a database for future research, actually are never studied. Others find that archaeologists tend to perform collections-based research on the more exotic, unique object types, not those that are highly redundant or seemingly mundane like plain body sherds, quahog shells, metallurgical slag, or fire-cracked rock. It is also clear to many that when archaeologists do study the seemingly redundant collections—and they sometimes do—they commonly work on a sampled group. The original collec-

tion is simply too big to study in its entirety for a researcher with limited time and budget. So why keep it all in the first place?

Observations and decisions relating to significance and value are made every day by archaeologists and museum personnel. The "shotgun approach to 'banking' data for the future" (Raab 1984) is not a valid practice under current space, personnel, and financial constraints. Instead, the growth of collections must be carefully managed (Sullivan 1992). One possible component of this management process is deaccessioning.

Contemporary archaeologists and curators also must consider the wishes of, and sometimes be accountable to, groups other than their peers. In particular, Native Americans, whose heritage may be directly tied to an archaeological collection, need to be consulted on the disposition of relevant collections. Whereas some tribes might believe that excavated materials should go back to the earth, others may want the tangible legacy of their past kept intact.

Likewise, repositories often must be accountable to groups other than their boards of directors. Repositories that are owned and/or operated using federal or state dollars are being scrutinized by bureaucratic managers with no background in curation or archaeology. Although these managers usually understand and sympathize with policies designed "to preserve our nation's heritage" and legal requirements for curating so many archaeological objects and collections, they must also meet budgets and consider how efficiently the money is being used. Long-term care for thousands of dusty bags and boxes of redundant or inaccessible objects may not seem cost efficient to these managers when public roads need to be repaired and school children fed.

The general public—the actual taxpayers who support archaeology and the repositories in which federal archaeological collections are housed and preserved—also might question the use of their dollars when the collections are not accessible to them or used for their benefit. On the other hand, the public would not be happy if collections that they have been paying to maintain are discarded or broken up for no apparent reason.

### **Steps to Incorporate Deaccessioning into Responsible Collections Management**

After evaluating the pros and cons of deaccessioning archaeological materials, it is clear that

some steps must be taken by archaeologists and curators to alleviate current and future stress on curation facilities and resources. At the same time, the integrity, research value, and interpretive value of collections must be maintained for future archaeologists and their colleagues, for the people whose heritage is known through archaeological collections, and for the public. Three points need to be emphasized before examining the steps below.

First, deaccessioning, as defined by Malero (1985:138), is "the process used to remove permanently an object from a museum's collection." Any process can almost always be executed in various ways under various conditions. As well, a process takes time and effort. Second, as a part of that process, Bacharach (1996) and Sonderman, NPS museum registrar and archaeologist respectively, observe that the "best deaccession policy is a good accession policy" (Sonderman 1996:29). Once a commitment has been made to a collection by accessioning and cataloguing it, it should be curated and protected under the policy and goals of the repository and in accordance with the policies and goals of the owner agency or organization. Both parties have responsibilities and must work in partnership. Third, integration of the deaccessioning process into the best management practices for archaeological collections, whether or not they are federally associated, requires good communication and cooperation between museum curators, archaeologists, and the owners of the collection. Such communication has not been regularly forthcoming in the past, often because of the lack of understanding and involvement in the issues by archaeologists. Fortunately, there are signs of improvement.

#### **Step 1**

The first crucial step to developing a comprehensive plan of action to deal with burgeoning archaeological collections and diminishing curation resources is for archaeologists to forcefully support the standard and ethic that all archaeological projects, whether they involve federal compliance or pure research, have well-developed project designs. The standards of research performance in the Society of Professional Archaeologists code of ethics, for example, states that archaeologists "Develop a scientific plan of research... [that] provides for economical use of the resource base (whether such base consists of an excavation site or of specimens) con-

sistent with the objectives of the project" (SOPA 1991:3).

A key element of these designs, yet one that is rarely emphasized, is a collecting strategy that is based on the focus of the work and, ideally, on long-term research plans for a region (Canouts 1977; McManamon 1996; Sullivan 1992).<sup>2</sup> By incorporating a collecting strategy into all project designs, it becomes mandatory that thoughtful consideration is given to the new cultural artifacts and other materials (i.e., radiocarbon, soil, flotation samples) before they are kept and added to the massive database of existing collections. Such a strategy should:

- consider first those collections that are already curated and accessible for research to determine if more excavation is necessary;
- identify the types of objects to be recovered, as best as possible, in order to avoid collecting items that might later be claimed to have been "inadvertently" collected;
- present the range of variation of the resources to be collected;
- define the time periods of interest in order to avoid conflicts over which materials are considered to be "archaeological" and which "historical" (see 43 CFR Part 7.33);
- Include a provision that allows for the modification of the research design and renegotiation of the collecting strategy and curation agreement due to unexpected finds (Sonderman 1996);
- utilize cost efficient practices;
- define a field sampling regime for those objects that either do not fit within the project design or are very redundant; and
- emphasize documentation of the method and quantities related to any sampling strategy that is executed.

When sampling is necessary in the field and/or laboratory, it is important that the process is developed and supervised by a professional who is well versed in the potential range of variation of the object class(es) and the range of methodologies that might be used to study the objects. It is also critical that an appropriate sample size is carefully considered and taken. For the most part, the sample size needed for any future collections study depends on the exact question(s) being investigated. Reasonable estimates of sample sizes that may be needed for future research are possible, but certainty that a correct sample size is always taken in the field or

1. Forcefully support the standard and ethic that the project design of all archaeological projects include a well-developed collecting strategy.
2. Prior to an archaeological STEPS project, identify a repository and establish a curation agreement for the resultant collections that includes consideration of deaccessioning.
3. Determine when deaccessioning might be appropriate or necessary and apply careful consultation, documentation, and justification.
4. Educate present and future archaeologists about curatorial responsibilities related to conducting archaeology.

Four steps for archaeologists and curators to incorporate deaccessioning into responsible collections management.

laboratory is impossible. Finally, it is also advisable for archaeologists to consult with the curatorial staff of the repository where the collection will be housed about any sampling procedures developed in the field, so that these procedures might be applied, if necessary, prior to accessioning and cataloging in the repository.

### Step 2

An important second step that should also occur prior to any fieldwork involves identifying a repository and setting up a curation agreement for accessioning and curating the final collection of objects and associated documents. This step is required for all permitted federal projects by the Archaeological Resources Protection Act (ARPA) and its uniform regulations (36 CFR Part 7.6[5]). Project archaeologists should select a repository with a mission statement, long-range goals for collections care and research, and a strong, compatible scope of collections statement. Although these are standard components of good curation practice that allow for well-managed collection growth (Sullivan 1992), they are not often well known or understood by archaeologists. The scope of collections presents the range of object types a repository will accept, along with other specifications such as regional or temporal foci. If a repository changes its scope of collections, it may be justified to deaccession any ob-

jects that do not fit the new scope. It is therefore critical that project archaeologists, repository staff, any advisors to the repository from the community whose past is being excavated, and agency staff discuss and incorporate a mutually satisfactory deaccessioning statement in their curation agreement.

### Step 3

The third step involves determining when deaccessioning may be appropriate or necessary and applying careful consultation, documentation, and justified action to all applicable cases (Bacharach 1996; Malaro 1985). This process first involves examining all possible alternatives to deaccessioning. These include the use of available, low maintenance and/or dead storage areas with highly limited or no access to them. When requested, a collection in such areas could be retrieved for use. A devil's advocate position to this approach might be, however, if collections are not readily accessible for research, exhibit, and interpretation, then why keep them at all?

The proposed federal regulation on deaccessioning archaeological materials (36 CFR Part 79.12) currently focuses on four types of materials in a collection that may be determined to be disposable. Type 1 includes materials that are not deemed to be archaeological or historical in nature and were inadvertently collected, accessioned, and catalogued. The archaeological or historical nature of a collection or its inadvertent collection is very difficult to determine without a strong project design and collection strategy as discussed above. As well, who has the responsibility of making this determination? These considerations are also relevant to the Type 2 materials which include bulky, highly redundant, non-diagnostic items with limited research potential, such as lithic debris, undecorated body sherds, shell, or fire-cracked rock. These attributes may only be determined when good consistent definitions are applied. The context in which the materials were found and the relative significance of the objects to the project design and to long-term, regional research plans must also be carefully considered.

Type 3 materials that could be subject to deaccessioning in the proposed regulation are those recovered under ARPA and determined to be not, or no longer, of archaeological interest based on the uniform regulations, 43 CFR Part 7.33. Since determining whether material remains have lost or

never had archaeological interest is rarely a straightforward process, they require considerations similar to those above. Type 4 materials include those historic or archaeological materials that are a hazard to human health or safety, such as live munitions or highly toxic materials. Instead of discarding or destroying these as implied in the proposed regulation, it may be possible to transfer them to an interested repository with appropriate storage facilities, even if a collection has to be broken up.

The growing need for an operable regulation on deaccessioning archaeological materials demands action on the proposed one. The above review of some aspects of the proposed regulation suggests that deaccessioning should not be based, as currently written, on material types alone. The deaccessioning procedures of the NPS (National Park Service 1996) and many non-federal repositories, for example, involve a number of specific conditions under which museum property, including archaeological collections, may be deaccessioned. These are: loss, theft, or involuntary destruction; abandonment and voluntary destruction; objects outside a repository's scope of collection; destructive analysis; return to rightful owner; and repatriation related to NAGPRA. It may be much more appropriate to weave together this latter approach with a consideration of different types of archaeological materials.

Each of the conditions for possible deaccessioning involves an appropriate method of transaction that, in all cases, must undergo professional evaluation, careful documentation, and committee review. As well, the curation agreement between a repository and the agency owner of a collection must be considered in terms of their respective curation responsibilities.

Loss, theft or involuntary destruction, abandonment and voluntary destruction, and destructive analysis require careful documentation of the circumstances under which the objects are to be deaccessioned, as well as high-level authorization. Return to rightful owner requires a receipt of transfer, as well as thorough background documentation such as a solicitor's opinion or a court order. Objects outside a repository's scope of collection and repatriation related to NAGPRA involve either a transfer of property and ownership or an exchange of property and ownership rights. With the passage of the amendment to the Museum Act of 1955 in November 1996<sup>3</sup>, NPS museum objects or collections

found to be outside a current scope of collection can be transferred with title and without charge to another federal agency, a non-federal government agency, or a private tax-exempt museum. These repositories must meet federal curation standards, have an appropriate scope of collections, and be dedicated to heritage preservation and interpretation.

Unfortunately, similar transfers of title to other agencies and tax-exempt institutions are not permitted for federal archaeological collections owned by agencies other than NPS. This provision could be changed in the future if a new regulation on deaccessioning proposed to allow such transfers by all federal agencies. In all cases, effort should be made to keep collections in the public domain. Attempts to formally destroy objects in a collection should be discouraged and thoroughly reviewed by archaeologists, curators, appropriate advisors from the public, and federal agency officials alike.

#### Step 4

A final step necessary to develop a well-conceived plan to incorporate deaccessioning in future federal collections management strategies involves education. University graduate faculty need to be better informed about the curatorial responsibilities associated with designing and executing archaeological projects, so that they, in turn, can teach the complex subject matter to their students. All graduate students and future archaeologists must learn and comprehend:

- the size and complexity of the data bank of existing collections that may be accessible for research, and how excavation affects that data bank;
- the implications of writing comprehensive project designs with collecting strategies;
- the need to incorporate appropriate levels of funding into project proposals for fully documenting, preserving, and housing a generated collection and its associated documentation;
- federal and state laws dealing with curation issues;
- the constraints under which curators work;
- the value of a scope of collection;
- how to apply sampling strategies to collections, not just sites; and
- the importance of recording the procedures practiced.

Professional journals and newsletters, annual association meetings, and targeted workshops involving both non-federal and federal archaeologists are some of the venues that can and must be used to educate the educators.

During the course of this education process, it is also time to subject some of the arguments cited *against* deaccessioning to balanced professional scrutiny. Significant changes in American economics, socio-politics, and ideology over the last twenty to thirty years demand such reflection. For example, long-term maintenance of collections, physical storage space, and curatorial expertise all involve a monetary investment. Burgeoning curation fees across the country suggest that this will not change (Childs 1998). How do we reconcile these economic facts with unaffordable archaeological practices and ethics that stress collecting everything for inadequately defined and/or planned future research, especially as federal managers and politicians are now demanding accountability for our decisions and methods? If archaeologists do not take the lead in justifying archaeological collections management for the discipline as a whole, given present-day and future realities others will make some unpleasant decisions for us (Sonderman 1996).

#### Conclusion

When the primary set of regulations concerning federal archaeological collections, *Curation of Federally-Owned and Administered Archaeological Collections* (36 CFR Part 79), were passed in 1990, the focus was on improving federal curation facilities and practices for the long-term care of and access to valuable archaeological collections. Over the last decade we have witnessed and learned about significant efforts to meet the curation standards through innovative grant writing, partnership activities, and forceful educational efforts aimed at uninformed federal managers. If the proposed deaccessioning regulation had been promulgated at approximately the same time as the larger set of regulations, it is conceivable that the focus might have been turned toward another, much less positive direction. The above discussion points out the complexities and work involved in deaccessioning; it is a difficult process. As more archaeologists consider the issues involved, perhaps deaccessioning can be better integrated into responsible collections management practices for the benefit of all, including the collections themselves.



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## Notes

1. 36 CFR Part 79.5(d), 79.12, Curation of Federally-Owned and Administered Collections; Proposed Rule. Published in 1990 in the *Federal Register* 55(177):37671-672.
2. Regional research plans and models should be the product of a consortium of people representing active universities, museums, federal agencies, Native American and other culture groups whose heritage is revealed through archaeology, CRM companies, research centers, and amateur archaeology associations in a region. Unfortunately, such groups and plans are not widely established across the country.
3. Museum Act of 1955 (69 Stat. 242; 16 USC, Sect. 18(f)), as amended November 1996.

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