

Appendix L: Reporting and Documenting Loss of Museum Objects

Page

L.1 Overview

- L.1.1 What is the definition of “loss”? L:1
- L.1.2 Where can I learn about prevention of loss? L:1
- L.1.3 Where can I find the procedures for investigating and documenting a loss? L:1

L.2 Discovering Loss

- L.2.1 Who usually discovers a loss? L:2
- L.2.2 What should I do if I discover a loss due to vandalism, theft, or loss of a firearm? L:2
- L.2.3 What should I do if I discover a missing object during inventory? L:2
- L.2.4 What should I do about objects that may have been missing for many years? L:2

L.3 Reporting Loss

- L.3.1 Who is responsible for reporting the loss of museum objects? L:3
- L.3.2 How does park law enforcement report losses due to vandalism or theft or loss of a firearm?..... L:3
- L.3.3 Should I report stolen museum collections to outside agencies? L:3

L.4 Documenting Loss

- L.4.1 How do I document a loss? L:4
- L.4.2 When should I complete the Report of Survey? L:4
- L.4.3 Where can I find the procedures for DOI-AAAP-0111? L:4
- L.4.4 What if the object is found? L:5

L.5 Determining Accountable Action

- L.5.1 Who determines accountable action for stolen, lost, damaged, or destroyed museum property? L:5
- L.5.2 What if the superintendent is unable to make a determination? L:6
- L.5.3 What documentation does the custodial officer give to the accountable officer? L:6
- L.5.4 What actions are taken for a determination of No Negligence? L:7
- L.5.5 What actions are taken for a determination of Simple Negligence? L:7

L.5.6 What actions are taken by the superintendent for a determination of Gross Negligence?.. L:7

L.6 Determining Gross Negligence

L.6.1 What is a Board of Survey? L:7

L.6.2 What actions are taken by the Board of Survey?..... L:9

L.6.3 What actions are taken by the Reviewing Authority?..... L:9

L.6.4 What actions are taken by the Regional Director?..... L:9

L.6.5 What actions are taken by the Office of Inspector General (OIG)? L:9

L.6.6 May a liable individual(s) appeal a finding of Gross Negligence? L:9

L.6.7 What actions are taken by the Office of Hearings and Appeals? L:10

L.6.8 What actions are taken if a damaged object must be destroyed? L:10

L.7 List of Figures

L.7.1 Outside Agencies that Report or Search for Lost Objects L:11

L.7.2 Report of Survey (DI-103) L:12

L.7.3 Background and Determination of Personal Property Negligence Memo (Sample)..... L:13

Appendix L: Reporting and Documenting Loss of Museum Objects

L.1 Overview

L.1.1 What is the definition of “loss”?

The term “loss” means traumatic and total loss:

- theft
- destruction
- disappearance

Loss does not refer to losses of integrity (breakage, fading, infestation, or other deterioration) or the deliberate deaccession of objects, such as transfers.

L. 1.2 Where can I learn about prevention of loss?

Refer to the *Museum Handbook*, Part I, Chapter 9, Fire Protection; Chapter 10, Emergency Planning; and Chapter 14, Security.

L.1.3 Where can I find the procedures for investigating and documenting a loss?

Refer to these documents for procedures to investigate and document a loss:

- Director’s Order #9: Law Enforcement Program and the Law Enforcement Reference Manual
- Director’s Order #44: Personal Property Management and the Personal Property Management Handbook #44
- DOI-AAAP-0111: Stolen, Lost Damaged, or Destroyed DOI Personal Property and Technical Operating Procedures for Stolen, Lost, Damaged, or Destroyed DOI Personal Property

There may also be park-specific and regional procedures for investigating losses.

L.2 Discovering Loss

L.2.1 Who usually discovers a loss?

Staff conducting the annual inventory most frequently discover losses. You may also receive loss reports from maintenance staff, security personnel, or interpreters. These staff members may notice something missing when they make their customary rounds.

L.2.2 What should I do if I discover a loss due to vandalism or theft or loss of a firearm?

- make a copy of the catalog record
- locate any photographs or digital images of the object
- gather any additional information that might be useful from ICMS or the accession and catalog folder
- notify your Regional Curator
- give all information to a park law enforcement officer within 24 hours after discovery of the loss

Note: Some parks have a designated law enforcement officer who is responsible for the museum collection. If the park does not have a law enforcement officer, notify law enforcement at a neighboring park or regional law enforcement.

L.2.3 What should I do if I discover a missing object during inventory?

Search the area to see if the object has been misplaced in a nearby location. If you can't locate the object:

- note that the object is missing on the inventory form
- conduct research to determine when the object was last seen (former inventories, photo date, catalog record date)
- document your findings

L.2.4 What should I do about objects that may have been missing for many years?

Objects or specimens may have been missing many years ago and never removed from the collection. All that remains are the accession or catalog records. For these cases, do as much research and documentation as possible. Deaccession the items using the procedures in this appendix.

L. 3 Reporting Loss

L.3.1 Who is responsible for reporting the loss of museum objects?

The custodial officer for the museum collection:

- reports losses due to vandalism or theft or the loss of a firearm to a park law enforcement officer and the accountable officer (superintendent or center manager) within 24 hours
- documents the loss and the circumstances surrounding the loss
- reports all losses, including museum property located at non-federal repositories, to the regional curator
- coordinates with the Contracting Officer for incidents involving contractors or subcontractors
- provides assistance to the Board of Survey or Survey Officer in determining the value of museum property

L.3.2 How does park law enforcement report losses due to vandalism or theft or loss of a firearm?

Park law enforcement will complete a case incident report. Get a copy of the report and the case number.

The report should show that the missing object is museum property. Provide a copy of the catalog record and other pertinent data from the catalog or accession folder for the report.

Law enforcement will report all thefts and vandalism to:

- local or state law enforcement authorities

- the Federal Bureau of Investigation (FBI), which may choose to conduct an investigation if the property is valued above \$5,000

L.3.3 Should I report stolen museum collections to outside agencies?

The more widely you report a theft, the better chance of recovery. However, notify and consult with NPS and local law enforcement authorities before contacting outside agencies. Park law enforcement may want to handle these contacts, so keep clear lines of communication with them to avoid double reporting.

Refer to Figure L.7.1 for a list of outside agencies that can provide assistance in locating stolen objects.

L.4 Documenting Loss

L.4.1 How do I document a loss?

To document a loss:

- change the Object Status field on the catalog record to Missing.
- enter the fiscal year that you discovered the loss in the Status Date field.
- complete a Report of Survey, Form DI-103 (Figure L.7.2)
- complete the Background section of the Negligence Determination Memorandum (Figure L.7.3)
- follow the new policy DOI-AAAP-0111, Stolen, Lost, Damage, or Destroyed DOI Personal Property. This policy rescinds and replaces IPMD Section 114-60.8 – Survey Procedures. The new policy updates the No Negligence and Simplified Negligence process. It covers DOI museum objects, including those located at non-federal museums/repositories.
- file copies of the case incident report (for vandalism, theft, or firearms) and all other documentation relating to the loss in the appropriate accession and catalog folders.
- deaccession the object(s) using the appropriate reason related to the loss after the Report of Survey is signed

L.4.2 When should I complete the Report of Survey?

For thefts, vandalism, destruction, and any loss of a firearm, complete the Report of Survey within 30 days of discovering the loss.

For missing objects, complete the Report of Survey within six months after discovering the loss. During that time, search for the objects and search the museum records. Many times missing objects have been misplaced and are later found.

L.4.3 Where can I find the procedures for DOI-AAAP-0111?

The new procedures are on the Acquisition.gov website. Go to:

- https://www.acquisition.gov/sites/default/files/page_file_uploads/DOI%20devaition%20CAAC%20Letter%202018-04.pdf

L.4.4 What if the object is found?

Change the Object Status field from Missing to the appropriate entry, such as Storage or Exhibit. Note the disappearance and recovery of the object on the catalog record and in the accession folder and catalog folders. Record the condition of the object upon its return.

If the object has been deaccessioned, mark the signed deaccession form and Report of Survey as “Void.” Initial and date these documents. Enter “Void” in the Notes field of the ICMS deaccession record.

L.5 Determining Accountable Action

L.5.1 Who determines accountable action for stolen, lost, damaged, or destroyed museum property?

As the accountable officer, the superintendent determines if a loss is the result of:

- no negligence – the individual is not liable because he/she gave appropriate care to the collection

- simple negligence – the individual is not liable, but he/she did not take as much care of the collection as a reasonably prudent person would have taken under similar circumstances
- gross negligence – the individual is liable due to reckless or deliberate disregard in caring for the collection
- property irregularity and gross negligence – the individual is liable due to 1) repetitive loss of a particular type of museum object or recurring losses at a given location; 2) losses of a suspicious nature; 3) evidence of serious misconduct, such as fraud, falsification of records; 4) known, suspected, or alleged fraud, waste, abuse, or misappropriation of museum property

The superintendent completes the DOI Background and Determination of Personal Property Negligence Memorandum (Figure L.7.3) to document the determination and notifies the Regional Curator and/or Chief Curator and signs the Report of Survey

The superintendent must be recused from making a determination if he/she is involved in the incident. The Regional Director would then make the determination.

L.5.2 What if the superintendent is unable to make a determination?

If unable to decide on the level of negligence, the superintendent contacts the Regional Curator and/or the Chief Curator for assistance.

L.5.3 What documentation does the custodial officer give to the superintendent?

The custodial officer gives the superintendent a sealed envelope with:

- a completed DI-103, Report of Survey, for signature (if gross negligence, the liable individual must sign the form)
- supporting documentation for the DI-103, including catalog records, photographs, incident reports, witness statements, and other relevant evidence
- a copy of the case incident report and any police reports for thefts, ongoing unauthorized use, or vandalism
- the DOI Background and Determination of Personal Property Negligence Memorandum with the Background section completed

L.5.4 What actions are taken for a determination of No Negligence?

For a determination of No Negligence, the superintendent:

- determines the action to be No Negligence and completes the DOI Background and Determination of Personal Property Negligence Memorandum (Figure L.7.3)
- signs and dates the DI-103, Report of Survey, and returns it to the custodial officer

L.5.5 What actions are taken for a determination of Simple Negligence?

For a determination of Simple Negligence, the superintendent:

- determines the action to be Simple Negligence and completes the DOI Background and Determination of Personal Property Negligence Memorandum (Figure L.7.3)
- signs and dates the DI-103, Report of Survey, and returns it to the custodial officer

L.5.6 What actions are taken by the superintendent for a determination of Gross Negligence?

For a determination of Gross Negligence, the superintendent:

- determines the action to be Gross Negligence, including property irregularities, and completes the DOI Background and Determination of Personal Property Negligence Memorandum (Figure L.7.3)
- signs and dates the DI-103, Report of Survey, and designates a Board of Survey or Survey Officer to investigate the incident

LI.6 Determining Gross Negligence

L.6.1 What is a Board of Survey?

A Board of Survey reviews and investigates the loss of museum property due to gross negligence. The Board consists of three or more disinterested individuals that includes one chairperson appointed in writing by the superintendent. Appointments are for at least one year and not more than three years. Board members must be government employees and at least one level above the liable individual(s) in the management chain. They can have no direct interest in the property being investigated.

A Special Board of Survey investigates unusual losses from major incidents, such as fire, flood, earthquakes, and volcanoes. A Special Board of Survey is usually appointed by the Regional Director and should include the Regional Curator.

L.6.2 What actions are taken by the Board of Survey?

The Board of Survey reviews the DI-103, Report of Survey, and documentation and can:

- change the superintendent's determination to No Negligence or Simple Negligence
- return the package to the superintendent for additional information

If the superintendent's determination is gross negligence, the Board of Survey:

- reviews and investigates all circumstances surrounding the loss and completes a report that documents the investigation and provides findings and decisions concerning the loss
- signs and dates the DI-103, Report of Survey, and provides the package to the Reviewing Authority
- determines if financial liability exists and the amount owed in restitution for the loss (with assistance from the custodial officer)
- sends a written notification of the determination to the liable individual(s) to address the Board and provide a written statement of facts regarding the loss within 14 business days
- provides the liable individual(s) with a Notice of Findings and Determinations on a transmittal letter that contains appeal instructions and the reviewed and signed DI-103, Report of Survey, and ensures that the transmittal letter is signed and dated by the liable individual(s)
- refers recommendations to the Contracting Officer, for cases that involve contractors or subcontractors, to determine financial liability
- refers cases involving property irregularities to the Regional Director
- ensures that all individuals involved in the case have signed and dated the DI-103, Report of Survey (Accountable Property Officer; Custodial Property Officer; liable individual(s); Board of Survey Officer(s); Reviewing Authority; and Regional Director, if applicable)
- provides a final, signed copy of the DI-103, Report of Survey, to the superintendent

L.6.3 What actions are taken by the Reviewing Authority?

The Reviewing Authority is not a member of the Board of Survey or the Accountable Officer. He or she is a senior management official at the next higher organizational level than the Accountable Officer. The Reviewing Authority:

- reviews the DI-103, Report of Survey, findings and determination of gross negligence
- signs and dates the DI-103, Report of Survey, and gives copies to the Board of Survey officers
- may request that the Board of Survey reconsider the action for reasons of technical insufficiency or inadequate documentation but cannot overturn the findings or determination
- provides a copy of the Board of Survey to regional and WASO Property Management for cases involving property irregularities
- sends the DI-103, Report of Survey, to the Regional Director if disagreements exist with the Board of Survey or the findings indicate property irregularities

LI.6.4 What actions are taken by the Regional Director?

The Regional Director:

- makes the final determination if there are differences between the Reviewing Authority and Board of Survey
- signs and dates the DI-103, Report of Survey, and returns it to the Board of Survey
- in cases of property irregularities, reviews the findings from the Board of Survey and determines if the case merits referral to the Office of Inspector General

LII.6.5 What actions are taken by the Office of Inspector General (OIG)?

The OIG conducts an investigation and provides a report to the Regional Director (or designee) and the Director, Office of Acquisition and Property Management.

L.6.6 May a liable individual(s) appeal a finding of Gross Negligence?

Yes. A liable individual(s) can submit a Notice of Appeal to the Office of Hearings and Appeals by following the procedures in DOI-AAAP-0111. The superintendent must receive a copy of the notice. The superintendent or custodial officer may request to respond to the appeal.

L.6.7 What actions are taken by the Office of Hearings and Appeals?

The Office of Hearings and Appeals sends a final decision on the appeal to the liable individual(s); the superintendent; and the Director, Office of Acquisition and Property Management.

L.6.8 What actions are taken if a damaged object must be destroyed?

Two individuals must witness the destruction. The superintendent or custodial officer cannot be witnesses. In cases of hazardous materials, the destruction must follow federal, state, and local waste disposal standards.

L.7 List of Figures

Outside Agencies that Report or Search for Lost Objects

Art Loss Register: www.artloss.com/en

Database of stolen art (must register, but law enforcement can get a complimentary account); now includes a Gun Loss Register.

Department of Justice: www.justice.gov/interpol-washington

Does a search for stolen and recovered cultural property.

Federal Bureau of Investigation Art Crime Team:

<https://www.fbi.gov/investigate/violent-crime/art-theft>

The FBI established a rapid deployment Art Crime Team in 2004. The team is composed of 16 special agents, each responsible for addressing art and cultural property crime cases in an assigned geographic region. The Art Crime Team is coordinated through the FBI's Art Theft Program, located at FBI Headquarters in Washington, D.C. Art Crime Team agents receive specialized training in art and cultural property investigations and assist in art related investigations worldwide in cooperation with foreign law enforcement officials and FBI legal attaché offices. The U.S. Department of Justice provides special trial attorneys to the Art Crime Team for prosecutive support.

Since its inception, the Art Crime Team has recovered more than 14,850 items valued at over \$165 million.

Federal Bureau of Investigation National Stolen Art File (NSAF):

<https://www.fbi.gov/investigate/violent-crime/art-theft/national-stolen-art-file>

The National Stolen Art File (NSAF) is a database of stolen art and cultural property. Stolen objects are submitted for entry to the NSAF by law enforcement agencies in the U.S. and abroad. When an object is recovered, it is removed from the database. However, be aware that not all recoveries are reported to the NSAF. If you have information on a work of art in the NSAF, please use the [FBI.gov tip line](https://www.fbi.gov/tip-line) to report it.

Persons and organizations requiring access to the National Stolen Art File should contact their closest FBI Field Office: www.fbi.gov/contact-us/field-offices

Interpol: <https://www.interpol.int/Crime-areas/Works-of-art/Works-of-art/Database>

The database contains only those objects that have been officially reported as stolen by member countries. Only law enforcement agencies may report thefts.

Figure L.7.1. Outside Agencies that Report or Search for Lost Objects

UNITED STATES DEPARTMENT OF THE INTERIOR REPORT OF SURVEY					Page _____ of _____
					Report No.
					Date
A. Originating Office and Telephone No. <i>(include area code)</i>			Accountable Office and Location		
The following items are: <i>(check one)</i> <input type="checkbox"/> Lost <input type="checkbox"/> Stolen <input type="checkbox"/> Damaged <input type="checkbox"/> Destroyed <input type="checkbox"/> Other <i>(specify)</i>			A statement of circumstances involving the identified property is attached.		
			Signature of Accountable Officer:		Date:
ITEM NO.	QUANTITY OR PROPERTY ID NO.	ITEM DESCRIPTION	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE <i>(See Reverse)</i>	ESTIMATED VALUE
B. To the best of my knowledge the attached statement(s) of circumstances are correct.					
Signature of Cognizant Employee:		Date:	Signature of Custodial Officer:		Date:
C. Board of Survey findings and determinations: A complete statement of Board findings and determinations is attached.			Signature of Board Chairperson:		Date:
Signature of Board Member:		Date:	Signature of Board Member:		Date:
D. Reviewing Authority: <input type="checkbox"/> Approved <input type="checkbox"/> Returned for technical insufficiency <i>(statement attached)</i> <input type="checkbox"/> Disagree with Board of Survey Findings and Determinations <i>(statement attached)</i>			Signature:		Date:
E. Head of Bureau or Office: <i>(required only for disagreement between Board and Reviewing Authority)</i> Statement of resolution:			Signature:		Date:
F. CERTIFICATE OF DISPOSITION/DESTRUCTION					
I certify that the Item(s) No _____ listed above have been destroyed, abandoned, or disposed of as directed by a Board of Survey.					
Official Responsible for Disposition/Destruction:		Title:	Signature:		Date:
Witness Name (for Destruction only):		Title:	Signature:		Date:
G. Adjustment to property records (Property Official Signature):		Date Completed	Financial Official Signature (if Required):		Date Completed

Figure L.7.2. Report of Survey (DI-103)

Memorandum

To:

From:

Subject: Background and Determination of Personal Property Negligence

The purpose of this memorandum is to provide the personal property background and negligence determination for the asset or assets described in the attached DI-103.

Background

Determination

Attachments

DI-103, Report of Survey Form

Figure L.673. Background and Determination of Personal Property Negligence Memo (Sample)