

**ADDRESSES:** Gary Rollefson, Maxey Museum, Whitman College, 345 Boyer Avenue, Walla Walla, WA 99362, telephone (509) 527-4938.

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of Maxey Museum. The human remains and associated funerary objects were removed from the general vicinity of the Snake River and Columbia River in the Columbia River Plateau, in the counties of Walla Walla, Benton, Franklin, and Columbia, WA, and Umatilla, OR.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the human remains was made by Maxey Museum professional staff in consultation with representatives of the Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Colville Reservation, Washington; Confederated Tribes of the Umatilla Reservation, Oregon; Confederated Tribes of the Warm Springs Reservation of Oregon; Nez Perce Tribe, Idaho (previously listed as Nez Perce Tribe of Idaho) (hereafter referred to as "The Tribes"); and the Wanapum Band, a non-Federally recognized Indian group (hereafter referred to as "The Indian Group").

#### History and Description of the Remains

In the early to middle 20th century, human remains representing, at minimum, six individuals were removed from an unknown location near the confluence of the Columbia River and Snake River in the counties of Walla Walla, Benton, Franklin, and Columbia, WA, and Umatilla, OR. The four burials contained the remains of five adults and one child. No known individuals were identified. The accession also contains 26 associated funerary objects, consisting of: 3 envelopes with writing; 1 lot of small pieces of leather belt or harness; 1 lot of charcoal pieces; 3 metal bells; 1 pipe stem; 1 piece of iron; 1 envelope with no writing; 1 chert flake; 1 lot of animal teeth; 1 partially burnt fragment of

wood; 1 corroded (non-human) fragment, substance and use unknown; 1 copper ring; 1 copper bell; 3 metal wheel gears; 1 lot of metal rings from a pipe stem; 1 lot of glass beads strung on cotton; 1 large animal tooth; and 3 copper bracelets.

In 1998, the human remains and associated funerary objects listed above were discovered in a large box in a storage closet in Memorial Hall, the main administrative building of Whitman College, and subsequently moved to Maxey Museum at Whitman College. Since the time of Maxey Museum's acquisition, the human remains and associated funerary objects were not removed from the box or intermingled with other collections, nor were the objects displayed. Envelopes found in the box read: "Robert Grant, Field Representative, Whitman College, Walla Walla." Many of the associated funerary objects are personal items, and others are objects typical to cremation burials. All of the objects are typical funerary objects found on the Columbia River Plateau.

Although minimal provenance information exists for these objects, Whitman College was involved with many excavations along the Columbia River from Plymouth, WA, to Richland, WA, and along the Snake River in the first half of the 20th century, as well as receiving donated remains and funerary objects from inadvertent discoveries in the area. Through consultation with The Tribes and The Indian Group and an assessment of the objects as representative funerary objects commonly found in Columbia River Plateau burials, it is asserted that this collection of associated funerary objects belongs to the human remains in the box.

Based on traditional lifeways, past and present, The Tribes and The Indian Group are direct descendant communities of the native people that jointly used the lower Snake and Columbia rivers. As aboriginal lifeways were being extinguished by Euro-American settlement of the Pacific Northwest, treaties were negotiated and signed with the native communities during the expansion of Washington and Oregon territories. The native peoples in these territories were removed from the shores of the Columbia and Snake rivers to the Colville, Umatilla, Warm Springs, Yakama and Nez Perce reservations. The Wanapum Band was removed from the rivers as well but was not put on a reservation of their own. Cultural affiliation is further reinforced by living, enrolled members of The Tribes and The Indian Group that have

documented ancestors buried along the lower Snake and Columbia rivers.

#### Determinations Made by Maxey Museum

Officials of Maxey Museum have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of six individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 26 associated funerary objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects to The Tribes and The Indian Group.

#### Additional Requestors and Disposition

Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Gary Rollefson, Maxey Museum, Whitman College, Walla Walla, WA 99362, telephone (509) 527-4938, before April 6, 2012. Repatriation of the human remains and associated funerary objects to The Tribes and The Indian Group may proceed after that date if no additional claimants come forward.

Maxey Museum is responsible for notifying The Tribes and The Indian Group that this notice has been published.

Dated: March 2, 2012.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 2012-5577 Filed 3-6-12; 8:45 am]

**BILLING CODE 4310-50-P**

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[2253-665]

#### Notice of Inventory Completion: History Colorado, Denver, CO

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

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**SUMMARY:** History Colorado (formerly the Colorado Historical Society) has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian tribes, and has determined that there is insufficient evidence to reasonably establish cultural affiliation

between the human remains and associated funerary objects and present-day Indian tribes. Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects may contact History Colorado.

Disposition of the human remains and associated funerary objects to the Indian tribes stated below may occur if no additional claimants come forward.

**DATES:** Representatives of any Indian tribe that believes it has a cultural affiliation with the human remains should contact History Colorado at the address below by April 6, 2012.

**ADDRESSES:** Sheila Goff, NAGPRA Liaison, History Colorado, 1200 Broadway, Denver, CO 80203, telephone (303) 866-4531.

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of History Colorado, Denver, CO. The human remains were recovered from various locations in Colorado, including Huerfano and Pueblo Counties.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

In 2010 and 2011, a detailed assessment of the human remains was made by History Colorado professional staff with representatives of the Arapahoe Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma (formerly the Cheyenne-Arapaho Tribes of Oklahoma); Comanche Nation, Oklahoma; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Ohkay Owingeh, New Mexico (formerly the Pueblo of San Juan); Pawnee Nation of Oklahoma; Pueblo of Cochiti, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Santa Clara, New Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Shoshone Tribe of the Wind River Reservation, Wyoming; Southern Ute Indian Tribe of the Southern Ute

Reservation, Colorado; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah. The following tribes were invited to consult but did not participate: Kiowa Indian Tribe of Oklahoma; Oglala Sioux Tribe of the Pine Ridge Reservation; Pueblo of Santa Ana, New Mexico; Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho; Standing Rock Sioux Tribe of North & South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma; and the Zuni Tribe of the Zuni Reservation, New Mexico.

In 2000, the following tribes previously consulted on Office of Archaeology and Historic Preservation (OAHP) Case Number 98: Kiowa Indian Tribe of Oklahoma; Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota; and the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota. In addition, the following tribes consulted on OAHP Case Number 175 in 2010: Hopi Tribe of Arizona; Navajo Nation, Arizona, New Mexico, & Utah; Pueblo of Acoma, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Tesuque, New Mexico; Ysleta Del Sur Pueblo, Texas; and the Zuni Tribe of the Zuni Reservation, New Mexico.

#### History and Description of the Remains

In July 1994, human remains representing, at minimum, one individual were removed from private property, site 5HR117, in Huerfano County, CO, by citizens who turned the remains over to the county coroner. The coroner notified the State Archaeologist, who authorized an on-site investigation and collected additional remains. All remains were subsequently transferred to History Colorado, where they are identified as OAHP Case Number 98. No known individuals were identified. The 17 non-diagnostic associated funerary objects are 16 whole and partial disk shell beads and one deer scapula.

The remains had been disturbed; therefore, the original burial context is unknown. A stone enclosure typical of Apishapa sites is located about 50m north of where the remains were recovered but it is not possible to establish a relationship between the structure and the remains. Osteological analysis determined that the individual is of Native American ancestry.

In May 1997, human remains representing, at minimum, one individual were transferred to History Colorado by the Denver Medical Examiner's Office. They are identified as OAHP Case Number 128. There is no information available as to where or how the remains were recovered.

The medical examiner determined that the individual is of Native American ancestry. He observed that some molars had been intentionally removed and that there was minor deterioration of the bone, suggesting an estimated antiquity of 40 to 150 years.

In 1955, human remains representing, at minimum, three individuals were removed from a cave in Pueblo County, CO, by private citizens. The cave is located on private land. At some time after discovery, they were transferred to Southern Colorado State College. In 1999, when the college closed the Laboratory of Anthropology, the remains were transferred to History Colorado. They are identified as OAHP Case Number 175. No known individuals were identified. The eight non-diagnostic associated funerary objects are one leather bag in fragments; one lock of black hair; one lot of corn cobs; one strand of braided grass; one modified animal bone, possibly a bone bead blank; one lot of cordage fragments; one faunal bone and one animal tooth.

Osteological analysis determined the individuals are of Native American ancestry. One individual exhibits cranial modification.

In 1981, human remains representing, at minimum, one individual were removed from 5PE6811 in Pueblo County, CO, by a private citizen. The site is located on private land. In July 2008, he turned the remains over to the county coroner. The State Archaeologist was notified as they were determined to be Native American. The location of removal was investigated and the remains transferred to History Colorado. They are identified as OAHP Case Number 263. No known individuals were identified. The 11 non-diagnostic associated funerary objects are beads manufactured between 1790 and the late 1800s.

Osteological analysis determined that the individual was of Native American ancestry.

#### Determinations Made by History Colorado

Officials at History Colorado have determined that:

- Pursuant to 25 U.S.C. 3001(9)-(10), the human remains described above represent the physical remains of six

individuals of Native American ancestry.

- Pursuant to 25 U.S.C. 3001(3)(A), the 36 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.

- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains described above and any present-day Indian tribe.

History Colorado has determined that the human remains are “culturally unidentifiable” under NAGPRA, 43 CFR 10.9(e)(6). In 2006, History Colorado, in partnership with the Colorado Commission of Indian Affairs, Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, and Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah conducted consultations with the tribes that have ancestral ties to the state of Colorado to develop the process for disposition of culturally unidentifiable Native American human remains and associated funerary objects originating from inadvertent discoveries on Colorado state and private lands. As a result of the consultation, a process was developed, *Process for Consultation, Transfer, and Reburial of Culturally Unidentifiable Native American Human Remains and Associated Funerary Objects Originating From Inadvertent Discoveries on Colorado State and Private Lands* (2008) (unpublished, on file with the Colorado Office of Archaeology and Historic Preservation). The remains described above were recovered in or transferred from state agencies in the Great Plains Consultation Region, as established by the *Process*, and tribes consulted are those who have expressed their wishes to be notified of discoveries in this region.

The Native American Graves Protection and Repatriation Review Committee (Review Committee) is responsible for recommending specific actions for disposition of culturally unidentifiable human remains. On November 3–4, 2006, the *Process* was presented to the Review Committee for consideration. A January 8, 2007 letter on behalf of the Review Committee from the Designated Federal Officer transmitted the provisional authorization to proceed with the *Process* upon receipt of formal responses from the Jicarilla Apache Nation, New Mexico, and Kiowa Indian Tribe of Oklahoma, and subject to forthcoming conditions imposed by the Secretary of the Interior. On May 15–16,

2008, the responses from the Jicarilla Apache Nation, New Mexico, and Kiowa Indian Tribe of Oklahoma were submitted to the Review Committee. On September 23, 2008, the Assistant Secretary for Fish and Wildlife and Parks, as the designee for the Secretary of the Interior, transmitted the authorization for the disposition of culturally unidentifiable human remains according to the *Process* and NAGPRA, pending publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

43 CFR 10.11 was promulgated March 15, 2010, providing a process for the disposition of culturally unidentifiable Native American human remains recovered from tribal or aboriginal lands as established by the final judgment of the Indian Claims Commission or U.S. Court of Claims, a treaty, Act of Congress, or Executive Order, or other authoritative governmental sources. There is no available evidence indicating that the human remains reported in this notice originated from tribal or aboriginal lands, thus making them eligible for disposition under the *Process*.

#### **Additional Requestors and Disposition**

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Sheila Goff, NAGPRA Liaison, History Colorado, 1200 Broadway, Denver, CO 80203, telephone (303) 866–4531, before April 6, 2012. Transfer of control of the human remains to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, and the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah may proceed after that date if no additional claimants come forward.

History Colorado is responsible for notifying the Apache Tribe of Oklahoma; Arapahoe Tribe of the Wind River Reservation, Wyoming; Cheyenne and Arapaho Tribes, Oklahoma; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Kewa Pueblo, New Mexico (formerly Pueblo of Santo Domingo); Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation,

Montana; Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota; Ohkay Owingeh, New Mexico (formerly the Pueblo of San Juan); Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (formerly Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)); Pawnee Nation of Oklahoma; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; San Juan Southern Paiute Tribe of Arizona; Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho; Shoshone Tribe of the Wind River Reservation, Wyoming; Southern Ute Indian Tribe of the Southern Ute Indian Reservation, Colorado; Standing Rock Sioux Tribe of North & South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakoni), Oklahoma; Ysleta Del Sur Pueblo of Texas; and the Zuni Tribe of the Zuni Reservation, New Mexico, that this notice has been published.

Dated: March 2, 2012.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

[2253–665]

#### **Notice of Inventory Completion: History Colorado, Denver, CO**

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice.

**SUMMARY:** History Colorado (formerly the Colorado Historical Society) has