

took place in the year or years immediately following the field school. The items removed from site LA 46316 include 90 sacred objects commonly called prayer sticks, materials for making prayer sticks, decomposed prayer sticks, and six lots of loose feathers, at least some of which were a part of prayer sticks.

The collection was transferred to the Maxwell Museum of Anthropology. Due to poor documentation and analysis, the full extent and nature of the collection emerged only recently, as analysts began detailed studies of the cultural objects. To date, the UMN collection from site LA 46316 includes the sacred objects detailed above as well as other cultural items and two partial sets of human remains, which require additional consultation and analysis before determinations can be made.

Based on radiocarbon dating, site LA 46316 was first used around B.C. 1400, and remained in use for centuries. The site is an ecumenical shrine, containing a travertine dome with dry deposits. The first documented excavation of the site occurred in 1917 by Elsie Clews Parsons, who reported even earlier activities on the site by "treasure seekers." Parsons described the shrine as a Laguna shrine, but stated that the site was used by visitors from "Acoma, Zuni, and other towns." At the time of the UNM field school in 1949, the site was on privately owned land, but more recently, the land area was purchased by the Pueblo of Laguna. Today, the Pueblo of Laguna continues to use the site and considers itself the custodian of the shrine. During a 2011 inspection of the sacred objects, delegates from the Pueblo of Laguna confirmed the presence of Laguna and Acoma sacred objects in the collection and indicated that other sacred objects may be related to the Zuni and Hopi tribes. The sacred objects in this notice are reasonably believed to be affiliated with the Pueblo of Laguna as well as other Pueblo Indians (including, but not limited to, the Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico).

In response to consultations with Indian tribes (including in a letter from the Governor of the Pueblo of Laguna, representing the Pueblo in its role as land owner and custodian of the shrine), the staff of the Maxwell Museum will rebury the "prayer sticks," "prayer stick materials," and loose feathers from site LA 46316. The Pueblo of Laguna has agreed to provide access to the shrine and to supervise the return of the sacred objects.

### Determinations Made by the Maxwell Museum of Anthropology

Officials of the Maxwell Museum of Anthropology have determined that:

- Pursuant to 25 U.S.C. 3001(3)(C), the 96 cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the sacred objects and the Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; Pueblo of Laguna, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico.

### Additional Requestors and Disposition

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred objects should contact David Phillips, Curator of Archaeology, Maxwell Museum of Anthropology, MSC01 1050, University of New Mexico, Albuquerque, NM 87131, telephone (505) 277-9229, before May 2, 2012. Repatriation of the sacred objects to the Pueblo of Laguna, New Mexico, may proceed after that date if no additional claimants come forward.

The Maxwell Museum of Anthropology is responsible for notifying the Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; Pueblo of Laguna, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: March 28, 2012

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-50-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

[2253-665]

### Notice of Intent to Repatriate Cultural Items: Rochester Museum & Science Center, Rochester, NY

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

**ACTION:** Notice.

**SUMMARY:** The Rochester Museum & Science Center, in consultation with the appropriate Indian tribe, has determined that the cultural items meet the definition of both sacred objects and objects of cultural patrimony and repatriation to the Indian tribe stated below may occur if no additional

claimants come forward.

Representatives of any Indian tribe that believes itself to be culturally affiliated with the cultural items may contact the Rochester Museum & Science Center.

**DATES:** Representatives of any Indian tribe that believes it has a cultural affiliation with the cultural items should contact the Rochester Museum & Science Center at the address below by May 2, 2012.

**ADDRESSES:** Adele DeRosa, Rochester Museum & Science Center, 657 East Avenue, Rochester, NY 14607, telephone (585) 271-4552 x 302.

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Rochester Museum & Science Center that meet the definition of both sacred objects and objects of cultural patrimony under 25 U.S.C. 3001.

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 cultural items. The National Park Service is not responsible for the determinations in this notice.

### History and Description of the Cultural Items

Between 1923 and 1984, the Rochester Museum & Science Center acquired 36 medicine faces made by members of the Seneca Nation of New York from a variety of sources. All of these medicine faces are currently in the possession of the Rochester Museum & Science Center.

In 1928, Alvin Dewey received from the Rev. John W. Sanborn collection two 19th century cornhusk medicine faces (29.259.36/AE 2914/D 10626 and 29.259.77/AE 2914/D 10625). Rev. Sanborn was appointed missionary to the Seneca Indians at Gowanda in 1877 and was adopted into the wolf clan.

In 1934, Arthur Parker acquired two 19th century cornhusk medicine faces (34.141.1/AE 2480 and 34.141.2/AE 2480) and one 19th century wooden medicine face (34.141.3/AE 2481) on the Cattaraugus Reservation.

In 1924, E.D. Putnam purchased two 19th century wooden medicine faces (24.61.5/AE 0500 and 24.61.13/AE 0509) on the Allegany Reservation.

In 1923, E.D. Putnam purchased two 19th century small wooden medicine faces (23.32.77/AE 363A and 23.32.40/AE 0366) and three 19th century large

wooden medicine faces (23.32.24/AE 0349; 23.32.45/AE 0371; and 23.47.1/AE 0404) on the Cattaraugus Reservation.

On August 18, 1923, E.D. Putnam purchased two 19th century cornhusk medicine faces (23.32.42/AE 0368 and 23.32.43/AE 0368) and one 19th century cornhusk medicine face for a leader's pole (23.32.37/AE 0363B) on the Cattaraugus Reservation.

On August 18, 1923, E.D. Putnam purchased two 19th century cornhusk medicine faces (23.32.4/AE 0330 and 24.61.10/AE 0505) on the Allegany Reservation.

In 1923, E.D. Putnam likely purchased one 19th century cornhusk medicine face (73.00.2.1) on either the Cattaraugus or Allegany Reservations.

In 1926, E.J. Burke collected one 19th century cornhusk medicine face (26.26.2/AE 0769) from an unknown location.

In 1925, Everett R. Burmaster collected two 19th century cornhusk medicine faces (25.69.1/AE 0482A and 25.69.2/AE 0482B) and one 19th century wooden medicine face (25.69.1/AE 0309) on the Cattaraugus Reservation.

In 1926, Everett R. Burmaster collected one 19th century wooden medicine face (26.63.1/AE 0010) on the Cattaraugus Reservation.

In 1928, Everett R. Burmaster collected one partially carved 19th century medicine face on a tree trunk (28.92.1/AE 0130) on the Cattaraugus Reservation.

In 1927, the Rochester Museum of Arts and Science (later the Rochester Museum & Science Center) purchased one 19th century wooden medicine face (27.81.463/AE 1171) from the Opdyke estate.

In 1925, an unknown individual collected one 19th century wooden medicine face with two bundles (25.75.1/AE 0578) in New York State.

In 1928, an unknown individual collected one late 19th century wooden medicine face (28.185.1/AE 1135) near Chautauqua Lake, NY.

In 1926, Arthur Parker collected one 19th century cornhusk medicine face (26.70.1/AE 0762) from an unknown location.

In 1931, an unknown individual collected one early 20th century wooden medicine face (31.147.1/AE 2276) on the Cattaraugus Reservation.

In 1938, an unknown individual collected two early 20th century wooden medicine faces (38.367.2/AE 7238 and 38.367.1/AE 7238) on the Cattaraugus Reservation.

In 1935, the Rochester Museum of Arts and Science (later the Rochester Museum & Science Center) received one small early 20th century wooden

medicine face (35.252.1/AE 3623) made on the Cattaraugus Reservation and donated by an unknown individual.

In 1984, the Rochester Museum & Science Center purchased one 20th century cornhusk medicine face (84.171.1) made on the Cattaraugus Reservation in 1980.

In 1929, Albert Heath purchased one 19th century small wooden medicine face (29.273.1/AE 1690) from an unknown location.

In 1923, an unknown individual purchased two early 20th century wooden medicine faces (23.47.2/AE 0405 and 23.47.3/AE 0406) at the Seneca Trading Post, in Collins, NY.

Traditional religious leaders of the Seneca Nation of New York have identified these medicine faces as being needed for the practice of traditional Native American religions by present-day adherents. In the course of consultations with representatives of the Seneca Nation of New York, it was shown that individuals who carved these medicine faces did not have the authority to alienate them to a third party. Because the individuals who carved these faces did not have the authority to alienate them, a third party could not have been given any ownership or property rights over the medicine faces and therefore, could not have properly transferred them to the Rochester Museum & Science Center. Museum documentation, supported by oral evidence presented during consultation by Seneca Nation of New York representatives, indicates that these medicine faces are culturally affiliated with the Seneca Nation of New York. Museum representatives also consulted with other Haudenosaunee and non-Haudenosaunee consultants.

#### **Determinations made by the Rochester Museum & Science Center**

Officials of the Rochester Museum & Science Center, Rochester have determined that:

- Pursuant to 25 U.S.C. 3001 (3)(D), the 36 cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present adherents, and have an ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual.

- Pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between these medicine faces and the Seneca Nation of New York.

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

Representatives of any other Indian Nation or tribe that believes itself to be culturally affiliated with these medicine faces should contact Adele DeRosa, Rochester Museum & Science Center, Rochester, NY 14607, telephone (585) 271-4552 x 302, before May 2, 2012. Repatriation of these medicine faces to the Seneca Nation of New York may proceed after that date if no additional claimants come forward.

The Rochester Museum & Science Center, Rochester, NY, is responsible for notifying the Seneca Nation of New York that this notice has been published.

Dated: March 28, 2012.

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

[2253-665]

#### **Notice of Intent to Repatriate Cultural Items: Rochester Museum & Science Center, Rochester, NY**

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

**ACTION:** Notice.

**SUMMARY:** The Rochester Museum & Science Center, in consultation with the appropriate Indian tribe, has determined that the cultural items meet the definition of both sacred objects and objects of cultural patrimony and repatriation to the Indian tribe stated below may occur if no additional claimants come forward.

Representatives of any Indian tribe that believes itself to be culturally affiliated with the cultural items may contact the Rochester Museum & Science Center.

**DATES:** Representatives of any Indian tribe that believes it has a cultural affiliation with the cultural items should contact the Rochester Museum & Science Center at the address below by May 2, 2012.

**ADDRESSES:** Adele DeRosa, Rochester Museum & Science Center, 657 East Avenue, Rochester, NY 14607, telephone (585) 271-4552 x 302.

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Rochester Museum & Science Center that meet the definition of both sacred objects and