

Brough, J.B. Perry, and others from the Swanton site (VT-FR-1) located at Highgate, near Swanton, Franklin County, VT. The site also is known as Hemp Yard, Frink cemetery, and Frink's grounds. In 1917, the human remains and associated funerary objects were given to the Phillips Academy Department of Archaeology (now the Robert S. Peabody Museum of Archaeology) by John W. Brough. Information about the site can be found in Warren K. Moorehead's 1922 book "A Report on the Archaeology of Maine" (see pages 241–257, which deal with Moorehead's Lake Champlain survey). Archeologist Stephen Loring, in his 1985 article "Boundary Maintenance, Mortuary Ceremonialism and Resource Control in the Early Woodland: Three Cemetery Sites in Vermont," indicates that the Swanton site was first mentioned in 1868 by the Reverend J.B. Perry, following its exposure by logging, mining, and erosion activities in the early 1860s. Loring describes the Swanton site as part of an Early Woodland-era mortuary complex that included exotic funerary objects, large bifacial stone blades, and the use of red ochre. The mortuary complex is approximately 2,000 to 3,000 years old. Examination of the human remains by physical anthropologist Michael J. Gibbons in 1993 identified a subadult male, aged 17 to 20 years old at time of death, represented by fragmentary clavicle and mandible, both of which are copper stained (object ID numbers 58495 and 58496). No known individual was identified. The 66 associated funerary objects include 1 discoidal stone (16937), 1 large stemmed slate biface (58480), 1 quartz stemmed biface (58482), 1 waterworn stemmed slate biface (58483), 1 leaf-shaped chert biface (58485), 1 leaf-shaped chert biface (58486), 1 fragmentary quartz biface (58488), 1 large jasper biface (58489), 1 polishing stone of slate (58490), 1 rhyolite celt (58491), 1 groundstone celt (58492), 3 large shell beads (58493), 2 small shell beads (58494), 1 phyllite gorget (58497), 1 decorated ceramic rim sherd (58498), 1 copper drill or perforator (58499), 1 fragmentary quartz biface (58501), 4 fragmentary chipped stone tools (58503), 35 fragments of copper beads, some with preserved cordage (2017.2.1), 5 tubular beads, and 2 Common Atlantic Marginella (*Prunum apicinum*) beads (2017.2.2).

During consultation representatives of the Wabanaki Tribes and Abenaki groups emphasized that they considered themselves collectively to be Wabanakis, with similar languages,

shared cultural histories, and common origins that extend far back to the first human occupation of the far northeastern United States and parts of Canada. Abenaki scholar Frederick Wiseman, in his book "Reclaiming the Ancestors: Decolonizing a Taken Prehistory of the Far Northeast," presents detailed information on the interrelatedness of the Wabanaki, their distinct regional adaptations, and modern political entities. Multiple lines of evidence guided by tribal consultations, including geographic location, maps, oral tradition, linguistic, and archeological data, demonstrate a shared group identity between the human remains and associated funerary objects in this notice and the Aroostook Band of Micmacs (previously listed as the Aroostook Band of Micmac Indians); Houlton Band of Maliseet Indians; Passamaquoddy Tribe; Penobscot Nation (previously listed as the Penobscot Tribe of Maine); and the following non-federally recognized Indian groups: Abenaki Nation of Missisquoi, St. Francis/Sokoki Band; Elnu Tribe of the Abenaki; Koasek Traditional Band of the Koas Abenaki Nation; and Nulhegan Abenaki Tribe.

#### Determinations Made by the Robert S. Peabody Museum of Archaeology

Officials of the Robert S. Peabody Museum of Archaeology have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 1 individual of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 66 objects described in this notice 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 and the Aroostook Band of Micmacs (previously listed as the Aroostook Band of Micmac Indians); Houlton Band of Maliseet Indians; Passamaquoddy Tribe; and the Penobscot Nation (previously listed as the Penobscot Tribe of Maine).

**Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Ryan Wheeler, Robert S. Peabody Museum of Archaeology,

Phillips Academy, 180 Main Street, Andover, MA 01810, telephone (978) 749-4490, email [rwheeler@andover.edu](mailto:rwheeler@andover.edu), by March 1, 2018. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects may proceed to the Aroostook Band of Micmacs (previously listed as the Aroostook Band of Micmac Indians); Houlton Band of Maliseet Indians; Passamaquoddy Tribe; Penobscot Nation (previously listed as the Penobscot Tribe of Maine); and, if joined to one or more of the culturally affiliated tribes, any of the following non-federally recognized Indian groups: Abenaki Nation of Missisquoi, St. Francis/Sokoki Band; Elnu Tribe of the Abenaki; Koasek Traditional Band of the Koas Abenaki Nation; and Nulhegan Abenaki Tribe.

The Robert S. Peabody Museum of Archaeology is responsible for notifying the Aroostook Band of Micmacs (previously listed as the Aroostook Band of Micmac Indians); Houlton Band of Maliseet Indians; Passamaquoddy Tribe; Penobscot Nation (previously listed as the Penobscot Tribe of Maine); Abenaki Nation of Missisquoi (St. Francis/Sokoki Band), Elnu Tribe of the Abenaki, Koasek Traditional Band of the Koas Abenaki Nation, and Nulhegan Abenaki Tribe that this notice has been published.

Dated: October 5, 2017.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

**Editorial Note:** This document was received at the Office of the Federal Register on January 25, 2018.

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0024526; PPWOCRADNO-PCU00RP14.R50000]

### Notice of Intent To Repatriate Cultural Items: Thomas Gilcrease Institute of American History and Art, Tulsa, OK

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

**ACTION:** Notice.

**SUMMARY:** The Thomas Gilcrease Institute of American History and Art (Gilcrease Museum), in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, has determined that the cultural item listed in this notice meets the definition of a sacred object and object of cultural patrimony. Lineal descendants or

representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request to the Gilcrease Museum. If no additional claimants come forward, transfer of control of the cultural item to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to the Gilcrease Museum at the address in this notice by March 1, 2018.

**ADDRESSES:** Laura Bryant, Anthropology Collections Manager, Thomas Gilcrease Institute of American History and Art, 1400 North Gilcrease Museum Road, Tulsa, OK 74127, telephone (918) 596-2747, email [laura-bryant@utulsa.edu](mailto:laura-bryant@utulsa.edu).

**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 a cultural item under the control of the Gilcrease Museum that meets the definition of a sacred object and object 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 Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

#### History and Description of the Cultural Item

In the early to mid-1900s, one cultural item was removed from an unknown location, likely in Alaska, and was purchased by Thomas Gilcrease, whose collection founded the Gilcrease Museum. The exact circumstances of how the purchase was made, including whether a dealer or gallery was involved, are unknown. The one sacred object and object of cultural patrimony is a Chilkat robe made from mountain goat wool and cedar bark and depicting a Killer Whale crest, which the Central Council of the Tlingit and Haida Indian Tribes identified as belonging to the Dak'laweidi Clan.

During consultation, representatives of the Central Council of the Tlingit and Haida Indian Tribes stated that

Dak'laweidi Clan property cannot be transferred, conveyed, or alienated unless all members of the Clan agree, and therefore, no one individual had the legal right to alienate the Killer Whale Chilkat robe. They also stated that Killer Whale Chilkat robes also are contemporarily worn at traditional ceremonies and potlatches, and play an important role in funerary rites. This usage was confirmed by the Kootznoowoo Cultural and Educational Foundation and independent scholars. The Dak'laweidi Clan provided photographic evidence of an identical Killer Whale Chilkat robe being worn by Mr. Mark Jacobs, Sr., and of Mr. Frank Paul, Sr., dancing in a similar Chilkat robe and a Killer Whale hat.

#### Determinations Made by the Gilcrease Museum

Officials of the Gilcrease Museum have determined that:

- Pursuant to 25 U.S.C. 3001(3)(C), the one cultural item described above is a specific ceremonial object 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(3)(D), the one cultural item described above has 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 the sacred object and object of cultural patrimony and the Central Council of the Tlingit and Haida Indian Tribes.

#### Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim this cultural item should submit a written request with information in support of the claim to Laura Bryant, Gilcrease Museum, 1400 North Gilcrease Museum Road, Tulsa, OK 74127, telephone (918) 596-2747, email [laura-bryant@utulsa.edu](mailto:laura-bryant@utulsa.edu), by March 1, 2018. After that date, if no additional claimants have come forward, transfer of control of the sacred object and object of cultural patrimony to the Central Council of the Tlingit and Haida Indian Tribes may proceed.

The Gilcrease Museum is responsible for notifying the Central Council of the Tlingit and Haida Indian Tribes that this notice has been published.

Dated: October 23, 2017.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

**Editorial Note:** The Office of the Federal Register received this notice on January 25, 2018.

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0024408; PPWOCRADN0-PCU00RP14.R50000]

#### Notice of Inventory Completion: Peabody Museum of Natural History, Yale University, New Haven, CT

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

**SUMMARY:** The Peabody Museum of Natural History, Yale University, has completed an inventory of human remains, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the Peabody Museum of Natural History. If no additional requestors come forward, transfer of control of the human remains to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the Peabody Museum of Natural History at the address in this notice by March 1, 2018.

**ADDRESSES:** Professor David Skelly, Director, Yale Peabody Museum of Natural History, P.O. Box 208118, New Haven, CT 06520-8118, telephone (203) 432-3752.

**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 under the control of the Peabody Museum of Natural History, Yale University, New Haven, CT. The human remains were removed