

Native American manufacture. Based on the literature and the burial context of the human remains, the human remains are considered to date to the Late Woodland period (after A.D. 1100). Geographic location is consistent with the traditional and postcontact territory of the Munsee Delaware Indian groups.

In the late 1950s, human remains representing a minimum of 29 individuals were collected by Mr. E.J. Kaeser from an ossuary at the Archery Range site, Pelham Bay Park, Bronx County, NY. The American Museum of Natural History received the human remains from Mr. Kaeser as a gift in 1967. No known individuals were identified. No associated funerary objects are present.

The individuals have been identified as Native American based on the mode of burial and the presence of items of Native American manufacture that are listed in the field notes but which are not part of the museum's collection. Based on the literature and the burial context of the human remains in an ossuary mixed with shell midden located on a knoll overlooking Pelham Bay, the human remains are considered to date to the Late Woodland period (after A.D. 1100). Geographic location is consistent with the traditional and postcontact territory of the Munsee Delaware Indian groups.

Officials of the American Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of a minimum of 59 individuals of Native American ancestry. Officials of the American Museum of Natural History have also determined that, pursuant to 25 U.S.C. 3001 (3)(A), the approximately 568 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. Lastly, officials of the American Museum of Natural History have determined that, 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 Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge-Munsee Community, Wisconsin. A cultural affiliation determination with the Delaware Tribe of Indians, Oklahoma was made prior to the tribe's change in status.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Nell Murphy, Director of

Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024–5192, telephone (212) 769–5837, before January 29, 2007. Repatriation of the human remains and associated funerary objects to the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge-Munsee Community, Wisconsin may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge-Munsee Community, Wisconsin that this notice has been published.

Dated: November 24, 2006.

**Sherry Hutt, Manager**

*National NAGPRA Program*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate Cultural Items: U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR and Confederated Tribes of the Umatilla Reservation, Oregon**

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

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 in the possession of the Confederated Tribes of the Umatilla Reservation, Oregon, and in the control of the U.S. Department of Defense, Army Corps of Engineers, Portland District, Portland, OR, that meet the definition of “unassociated funerary objects” 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.

Between 1948 and 1986, the Old Town Umatilla Townsite (35 UM 1/35 UM 35) underwent various and extensive excavations by multiple entities. Since 1976, the human remains and funerary objects have undergone multiple re-interments and repatriations to the Confederated Tribes of the

Umatilla Reservation, Oregon. In 2005, a bag was located in collections labeled as being removed from the Old Town Umatilla Townsite cemetery area, Umatilla County, OR. The 19 unassociated funerary objects are 1 harpoon point, 1 utilized flake, 1 bone awl, 5 projectile points, 1 projectile point fragment, 1 knife, 1 knife fragment, 1 metal rod, 1 pounding stone, 2 uniface choppers, 1 flake, 1 fishbone, 1 charcoal, and 1 shell.

The human remains with which the cultural items were originally associated were previously published in a Notice of Inventory Completion in the **Federal Register** on April 25, 2003, (FR Doc 03–10029, pages 20406–20407), and were physically repatriated to the Confederated Tribes of the Umatilla Reservation, Oregon on June 13, 2003. Since the human remains are no longer in the control of the Army Corps of Engineers, Portland District, the cultural items in this notice meet the definition of unassociated funerary objects under NAGPRA. On February 21, 2006 the tribe submitted a claim to the Army Corps of Engineers, Portland District for the newly discovered unassociated funerary items.

The Old Town Umatilla site was first occupied in 470 B.C. and is considered to be a prehistoric and historic Umatilla village. The site served as a major winter village of the Umatilla Indians during late prehistoric times, and includes a cemetery that dates from approximately 500 B.C. to A.D. 1700. The site lies within the traditional lands of the present-day Confederated Tribes of the Umatilla Reservation, Oregon.

Officials of the Army Corps of Engineers, Portland District have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 19 cultural items 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 and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual. Officials of the Army Corps of Engineers, Portland District also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Confederated Tribes of the Umatilla Reservation, Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact Mr. Robert Willis, U.S. Army Corps of Engineers, Portland District, P.O. Box 2946,

Portland, OR 97208-2946, telephone (503) 808-4760 before January 29, 2007. Repatriation of the unassociated funerary objects to the Confederated Tribes of the Umatilla Reservation, Oregon may proceed after that date if no additional claimants come forward.

Army Corps of Engineers, Portland District is responsible for notifying the Confederated Tribes of the Umatilla Reservation, Oregon that this notice has been published.

Dated: November 21, 2006

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent to Repatriate Cultural Items: Horner Collection, Oregon State University, Corvallis, OR

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

**ACTION:** Notice.

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 in the possession of the Horner Collection, Oregon State University, Corvallis, OR, that meet the definition of "unassociated funerary objects" 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.

The 12 cultural objects are 5 baskets, 1 mortar, 2 arrows, 1 bag containing projectile points, 2 obsidian spear points, and 1 obsidian blade.

The Museum of Oregon Country, Oregon Agricultural College was renamed the John B. Horner Museum of the Oregon Country in 1936, and became commonly known as the Horner Museum. The Oregon Agricultural College was renamed the Oregon State College in 1937, and became Oregon State University in 1962. The Horner Museum closed in 1995. Currently, cultural items from the Horner Museum are referred to as the Horner Collection, which is owned by, and in the possession of, Oregon State University.

Horner Collection, Oregon State University professional staff consulted with representatives of the Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada; Karuk Tribe of California; Pit River Tribe, California; Redding Rancheria, California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Smith River Rancheria, California; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; and Yurok Tribe of the Yurok Reservation, California.

In 1953, one mortar was loaned to the Horner Collection by S.L. Burnaugh, who later gifted the mortar to the Horner Collection in 1972. Museum records state that the mortar was found in Calveris, California (probably Calaveras) by an unknown person at an unknown time. The Calaveras area is within the Northern Valley Yokut or Foot Hill Miwok territories, which is part of the traditional territory of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California.

The mortar is a shallow oval with one end deeper than the other and two grooves in one side of the rim. The mortar has been identified by tribal representatives of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California as being a ceremonial mortar used for the preparation of a jimson weed (*Datura stramonium*) beverage that young men drink during the traditional coming of age ceremony. According to consultation evidence, this type of ceremonial mortar was usually buried with its owner. The museum has no documentation that the mortar was ever buried with an individual, however, based on consultation evidence, officials of the Horner Collection, Oregon State University reasonably believe the mortar is an unassociated funerary object.

According to museum records, three baskets are from Tulare County, CA, and were loaned by Mrs. James Edmond Barrett to the Horner Collection in 1934. In 1972, Mrs. Barrett gifted the baskets to the Horner Collection. The Horner Collection, Oregon State University has no documentation that the three baskets were ever buried with any individual. However, museum records state Mrs. Barrett and her husband are known to have collected cultural items that were taken from burials and mounds.

In 1981, one basket was found in collections with no accession number and without provenience information.

In 1984, Francis E. Alvord gifted one basket to the Horner Collection. Mrs. Alvord identified the basket as Shoshone and said it had belonged to her parents. It is not known how her

parents acquired the basket. Anthropomorphic figures on the basket have been identified as Yokut designs, specifically the Wah-nees (first man) design, by tribal representatives of the Santa Rosa Rancheria Indian Community of the Santa Rosa Rancheria, California.

All five baskets have been identified by tribal representatives of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California as offering baskets that would have been buried with special offerings for an individual's safe passage to the spirit world. The Horner Collection, Oregon State University has no documentation that the baskets were ever buried with any individual. However, based on consultation, collector history, and museum records, officials of the Horner Collection, Oregon State University reasonably believe that the five baskets are unassociated funerary objects.

In 1987, one arrow was found in museum collections. In 1993, another arrow was found in the museum collection. Both arrows have no accession numbers and are without provenience information. Both arrows have reed main shafts and one has the hardwood foreshaft construction that is typical of the Tachi Yokut culture group according to the Handbook of North American Indians Vol. 8 (page 452). Furthermore, both arrows have been identified by tribal consultants of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California as being typical of arrows made historically and prehistorically by the Tachi Yokut. Consultation evidence states that men would often leave arrows at gravesites as offerings in the belief that they would bring good luck for hunting in the spirit world. The Horner Collection, Oregon State University has no documentation that the arrows were ever buried with any individual. However, based on the information from consultation, officials of the Horner Collection, Oregon State University reasonably believes that the two arrows are unassociated funerary objects.

In 1993, one obsidian blade was found in museum collection with no accession number and is without provenience information. The obsidian blade has been identified by tribal representatives of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California as being typical of the blades given to a young man for his coming of age ceremony, as such, this type of blade was a personal item that would have been buried with its owner. The Horner Collection, Oregon State University has no documentation that