

Oklahoma and the Kiowa Indian Tribe of Oklahoma may begin after that date if no additional claimants come forward.

Dated: April 5, 2001.

John Robbins,

Assistant Director, Cultural Resources Stewardship and Partnerships.

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the U.S. Department of the Interior, National Park Service, Natchez Trace Parkway, Tupelo, MS

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

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the U.S. Department of the Interior, National Park Service, Natchez Trace Parkway, Tupelo, MS.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the National Park unit that has control or possession of these Native American human remains. The Assistant Director, Cultural Resources Stewardship and Partnerships is not responsible for the determinations within this notice.

A detailed assessment of the human remains was made by National Park Service professional staff in consultation with representatives of the Absentee-Shawnee Tribe of Indians of Oklahoma; Alabama-Coushatta Tribes of Texas; Alabama-Quassarte Tribal Town, Oklahoma; Cherokee Nation, Oklahoma; Chickasaw Nation, Oklahoma; Chitimacha Tribe of Louisiana; Choctaw Nation of Oklahoma; Eastern Band of Cherokee Indians of North Carolina; Eastern Shawnee Tribe of Oklahoma; Jena Band of Choctaw Indians, Louisiana; Kialegee Tribal Town, Oklahoma; Miccosukee Tribe of Indians of Florida; Mississippi Band of Choctaw Indians, Mississippi; Muskogee (Creek) Nation, Oklahoma; Poarch Band of Creek Indians of Alabama; Seminole Nation of Oklahoma; Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations;

Thlopthlocco Tribal Town, Oklahoma; Tunica-Biloxi Indian Tribe of Louisiana; and the United Keetoowah Band of Cherokee Indians of Oklahoma. The Shawnee Tribe, also known also as the "Loyal Shawnee" or "Cherokee Shawnee," a nonfederally recognized Native American group at the time that they were consulted, have since been recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians under provisions of P.L. 106-568.

The 75 human remains and 41 associated funerary objects described below were recovered from three different sites.

In 1963 and 1964, human remains representing 10 individuals were recovered from the Boyd site during an authorized National Park Service project to mitigate construction impacts from the Natchez Trace Parkway. No known individuals were identified. The 24 associated funerary objects are pieces of a single Baytown Plain ceramic jar.

The Boyd site is located in Madison County, MS, and consists of a village area and six mounds. On the basis of artifacts recovered during the excavations, the village area was occupied during the Woodland period (A.D. 300-700), while the mounds were built during the Mississippian period (A.D. 1000-1650). The human remains and associated funerary objects were associated with the Mississippian period use of the site. One burial was recovered with fragments of a Baytown Plain ceramic jar, a ceramic type often associated with the Late Woodland and Early Mississippian period (A.D. 700-1200). In 1949, human remains representing 36 individuals were recovered from the Gordon Mounds site during a legally authorized National Park Service excavation prior to the construction of the Natchez Trace Parkway. No known individuals were identified. The 17 associated funerary objects are 12 ceramic fragments representing 5 different vessels, 3 projectile points, and 1 stone celt.

The Gordon Mounds site is located in Jefferson County, MS, and consists of two mounds and a village area. On the basis of artifacts recovered during the excavations the site was occupied during the Late Woodland and Mississippian periods (A.D. 600-1750). Ceramic types include Mazique Incised and Addis Plain, ceramic types often associated with the late prehistoric occupants of the Natchez, MS, area and with the Natchez Indians.

In 1948 and 1972, human remains representing 29 individuals were recovered from the Emerald Mound site

during legally authorized excavation projects. No known individuals were identified. No associated funerary objects are present.

The Emerald Mound site is located in the vicinity of Natchez, MS, and consists of two mounds and a plaza area. On the basis of artifacts recovered during excavation, the site was occupied during the late precontact phase of the Mississippian period (A.D. 1200-1650, or later). Ceramic types that have been historically associated with the Natchez Indians were found throughout the site. The cremated remains of infants were found in the mound. Infant sacrifice is a cultural trait that has been affiliated with the Natchez.

In 1542, Hernando de Soto's expedition heard of, and later encountered hostile Indians along the lower Mississippi River believed to have been the Natchez and their allies. In 1682, the de La Salle expedition specifically identified the Natchez as living along the banks of the lower Mississippi River. Following an unsuccessful rebellion against the French in 1729, the Natchez were dispersed. About 400 individuals surrendered to the French and were sent to the West Indies as slaves. The remaining Natchez withdrew among the Chickasaw and ultimately separated into two main bands, one settling among the Upper Creeks and the other uniting with the Cherokee.

After their removal to Indian Territory, Natchez descendants settled along both sides of the border between the Creek and Cherokee Nations. Consultation with tribal representatives indicates that those Natchez in the Cherokee Nation were regarded as "Nahchee Creeks." The Natchez language was still spoken by some in the Creek Nation until the early 20th century and by some among the Cherokee until the 1940s. Despite the later survival of the Natchez language among the Cherokee, the Natchez survived longest as a recognizable sociocultural entity among the Creeks, where the Natchez remnant ultimately was taken in by the still-extant Ahbika ceremonial ground in the present-day Muskogee (Creek) Nation. Given territorial proximity and complexities of modern Cherokee tribal alignments in Oklahoma, both the Cherokee Nation and the United Keetoowah Band of Cherokee Indians are likely to include tribal members of Natchez descent.

Based on the above mentioned information, the superintendent of Natchez Trace Parkway has determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent

the physical remains of 75 individuals of Native American ancestry. The superintendent of Natchez Trace Parkway has also determined that, pursuant to 43 CFR 10.2 (d)(2), the 41 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of a death rite or ceremony. Lastly, the superintendent of Natchez Trace Parkway has determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects recovered from the Boyd site, Gordon Mounds site, and Emerald Mound site, and the Muskogee (Creek) Nation, Oklahoma; Cherokee Nation, Oklahoma; and United Keetoowah Band of Cherokee Indians of Oklahoma.

This notice has been sent to officials of the Absentee-Shawnee Tribe of Indians of Oklahoma; Alabama and Coushatta Tribes of Texas; Alabama-Quassarte Tribal Town, Oklahoma; Cherokee Nation, Oklahoma; Chickasaw Nation, Oklahoma; Chitimacha Tribe of Louisiana; Choctaw Nation of Oklahoma; Eastern Band of Cherokee Indians of North Carolina; Eastern Shawnee Tribe of Oklahoma; Jena Band of Choctaw Indians, Louisiana; Kialegee Tribal Town, Oklahoma; Miccosukee Tribe of Indians of Florida; Mississippi Band of Choctaw Indians, Mississippi; Muskogee (Creek) Nation, Oklahoma; Poarch Band of Creek Indians of Alabama; Seminole Nation of Oklahoma; Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations; Shawnee Tribe, Oklahoma; Thlopthlocco Tribal Town, Oklahoma; Tunica-Biloxi Indian Tribe of Louisiana; and the United Keetoowah Band of Cherokee Indians of Oklahoma. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Wendell Simpson, Superintendent, Natchez Trace Parkway, 2680 Natchez Trace Parkway, Tupelo, MS 38803, telephone (662) 680-4005, before July 18, 2001. Repatriation of the human remains and associated funerary objects to the Muskogee (Creek) Nation, Oklahoma; Cherokee Nation, Oklahoma; and United Keetoowah Band of Cherokee Indians of Oklahoma may begin after that date if no additional claimants come forward.

Dated: May 10, 2001.

Frank P. McManamon,
*Acting Assistant Director, Cultural Resources
Stewardship and Partnerships.*

[FR Doc. 01-15306 Filed 6-15-01; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed extension of Application for Approval of a Representative's Fee in Black Lung Proceedings Conducted by the U.S. Department of Labor (CM-972); and OFCCP Complaint Form (CC-4).

DATES: Written comments must be submitted to the office listed in the addressee section below on or before August 17, 2001.

ADDRESSES: Ms. Patricia A. Forkel, U. S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0339 (this is not a toll-free number), fax (202) 693-1451.

SUPPLEMENTARY INFORMATION:

Application for Approval of a Representative's Fee in Black Lung Proceedings Conducted by the U.S. Department of Labor (CM-972)

I. Background

Individuals filing with the U.S. Department of Labor, Office of Workers' Compensation Programs (OWCP), Division of Coal Mine Workers' Compensation (DCMWC) for benefits under the Black Lung Benefits Act may elect to be represented or assisted by an attorney or other representative. For

those cases that are approved, 30 U.S.C. 901 of the Black Lung Benefits Act and 20 CFR 725.365-6 established standards for the information and documentation that must be submitted to the Program for review to approve a fee for services. The CM-972 is the form used for this purpose.

II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions

The Department of Labor seeks the approval of this information collection in order to evaluate applications to approve fees for services rendered.

Type of Review: Extension.

Agency: Employment Standards Administration.

Title: Application for Approval of a Representative's Fee in a Black Lung Claim Proceeding Conducted by the U. S. Department of Labor.

OMB Number: 1215-0171.

Agency Number: CM-972.

Affected Public: Businesses or other for-profit.

Frequency: On occasion.

Total Respondents: 500.

Time per Response: 42 minutes.

Estimated Total Burden Hours: 350.

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$0.

OFCCP Complaint Form (CC-4)

I. Background

The Office of Federal contract compliance Programs administers three equal employment opportunity