

The individual has been identified as Native American based on the form of burial. The grave was a talus slope interment of a form used by the postcontact Sahaptin speakers who occupied the area. The presence of pieces of cedar in the grave suggests a postcontact date for the remains. The pieces of cedar are not part of the museum's collection.

The geographic location of all of the sites described above is consistent with the early postcontact territory of Sahaptin speakers who are ancestors of the Confederated Tribes and Bands of the Yakama Nation, Washington. The burial type described by Mr. Smith for all of the remains reported here is consistent with the late precontact and postcontact burial practices of the Confederated Tribes and Bands of the Yakama Nation, Washington. Experts in Oregon Plateau archeology suggest that there has been cultural continuity from late precontact to the postcontact period in this area.

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 30 individuals of Native American ancestry. Officials of the American Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 1,424 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 Confederated Tribes and Bands of the Yakama Nation, Washington.

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 November 25, 2005. Repatriation of the human remains and associated funerary objects to the Confederated Tribes and Bands of the Yakama Nation, Washington may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the

Confederated Tribes of the Chehalis Reservation, Washington; Confederated Tribes and Bands of the Yakama Nation, Washington; Confederated Tribes of the Warm Springs Reservation of Oregon; Hoh Indian Tribe of the Hoh Indian Reservation, Washington; Jamestown S'Klallam Tribe of Washington; Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington; Lummi Tribe of the Lummi Reservation, Washington; Makah Indian Tribe of the Makah Indian Reservation, Washington; Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington; Nisqually Indian Tribe of the Nisqually Reservation, Washington; Nooksack Indian Tribe of Washington; Port Gamble Indian Community of the Port Gamble Reservation, Washington; Puyallup Tribe of the Puyallup Reservation, Washington; Quileute Tribe of the Quileute Reservation, Washington; Quinault Tribe of the Quinault Reservation, Washington; Samish Indian Tribe, Washington; Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington; Skokomish Indian Tribe of the Skokomish Reservation, Washington; Squaxin Island Tribe of the Squaxin Island Reservation, Washington; Stillaguamish Tribe of Washington; Swinomish Indians of the Swinomish Reservation, Washington; Tulalip Tribes of the Tulalip Reservation, Washington; and Upper Skagit Indian Tribe of Washington that this notice has been published.

Dated: September 30, 2005

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312–50–S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate a Cultural Item: U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM, and Field Museum of Natural History, Chicago, IL**

**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 a cultural item in the control of the U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM, and in the possession of the Field Museum of Natural History, Chicago, IL, that meets

the definition of “unassociated funerary object” under 25 U.S.C. 3001. The cultural item was removed from the Gila National Forest, Catron County, NM.

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 cultural item is a small San Francisco Red pottery jar.

A detailed assessment of the cultural item was made by the U.S. Department of Agriculture, Forest Service, Gila National Forest and the Field Museum of Natural History professional staff in consultation with the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico.

In 1954, the cultural item was removed from Valley View Pueblo in the Gila National Forest, Catron County, NM, during legally authorized excavations and collected by Dr. Paul S. Martin of the Field Museum of Natural History, Chicago, IL. In August 2005, the Field Museum of Natural History, Chicago, IL, found an unassociated funerary object among its collections that had been taken from Gila National Forest, Catron County, NM, by Dr. Martin. Unassociated funerary objects removed from Gila National Forest, Catron County, NM, were previously published in the **Federal Register** of June 1, 2005, FR Doc. 05–10805, page 31510, and in a subsequently corrected Notice of Intent to Repatriate published in the **Federal Register** on August 3, 2005, FR Doc. 05–15322, page 44687.

Material culture, architecture, and site organization indicate that Valley View Pueblo is an Upland Mogollon site occupied between A.D. 550 and 1150. The territory of the Upland Mogollon stretched from south-central Arizona to south-central New Mexico. The Upland Mogollon territories are claimed, currently inhabited, or used by the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico. Most archeological evidence linking Upland Mogollon to present-day Indian tribes relies on ceramics that suggest cultural connections between these groups. Present-day descendants of the Upland Mogollon are the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico. Oral traditions preserved in the ethnographic literature and presented by representatives of the Hopi Tribe,

Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico support cultural affiliation.

Officials of the U.S. Department of Agriculture, Forest Service, Gila National Forest have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the cultural item described above is 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 is believed, by a preponderance of the evidence, to have been removed from a specific burial site of an Native American individual. Officials of the U.S. Department of Agriculture, Forest Service, Gila National Forest have also 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 object and the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary object should contact Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 333 Broadway Blvd., SE, Albuquerque, NM 87102, telephone (505) 842-3238, before November 25, 2005. Repatriation of the unassociated funerary object to the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico may proceed after that date if no additional claimants come forward.

The U.S. Department of Agriculture, Forest Service, Gila National Forest is responsible for notifying the Hopi Tribe, Arizona; Pueblo of Acoma, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: September 12, 2005.

**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 five cultural items are one drum, one drumstick, one Coho or shinny stick, one trinket basket, and one wallet basket. Three of the cultural items are part of the Dr. J.L. Hill collection.

Horner Collection, Oregon State University professional staff consulted with representatives of the Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Reservation, Oregon; Karuk Tribe of California; Quinalt Tribe of the Quinalt Reservation, Washington; and Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington.

The Museum of Oregon Country, Oregon Agricultural College acquired the collection from Dr. Hill's son and daughter in 1925. The Museum of Oregon Country 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. In 1981, Dr. Hill's heirs, Emily Hill Ward and her son, Fred Ward signed a gift agreement transferring ownership of Dr. Hill's entire collection to the museum. 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.

At an unknown date, one drum and drumstick were removed from the Siletz Reservation, OR, by Mr. C.S. Davis. In 1921, Dr. J.L. Hill's heirs loaned the drum and drumstick to the Museum of Oregon Country. It is believed that Mr. Davis had given the cultural items to Dr. Hill specifically to donate to the Museum of Oregon Country. In the 1981 gift agreement, Dr. Hill's heirs transferred ownership of Dr. Hill's entire collection, including the drum

and drumstick, to the Horner Collection, Oregon State University.

The museum records for the drum and drumstick state that they were originally made by Moses Lane of the Siletz Reservation, OR. A cultural representative of the Confederated Tribes of the Siletz Reservation, Oregon has said that the drum and drumstick would have been used to enhance the spiritual development of the owner. Traditionally, the drum and drumstick would have been uniquely and solely connected to the owner and would have been buried with the owner. Furthermore, according to museum records, a note attached to the drum reads, "You will notice that the framework is hand made and cut out with crude tools. The cover is tanned horsehide. These drums are used at tribal ceremonies, dances, games etc. and are generally buried with the remains of the owner."

The Horner Collection, Oregon State University has no evidence the drum and drumstick were ever buried with Moses Lane or any other individual. However, museum records state that Dr. Hill was known to have collected human remains and cultural items from burials and mounds. Based on consultation and museum records, the Horner Collection, Oregon State University finds that the intent was to maintain the spiritual connection between owner and object through the burial of the cultural items with their owner and has therefore identified the cultural items as unassociated funerary objects.

At an unknown date, one shinny or Coho stick was removed from an unknown location by Dr. Hill. In 1921, Dr. Hill's heirs loaned the cultural item to the museum. In the 1981 gift agreement, Dr. Hill's heirs, transferred ownership of Dr. Hill's entire collection, including the shinny or Coho stick, to the Horner Collection, Oregon State University.

According to museum records the shinny or Coho stick was created by Andrew Smith of the Siletz Reservation, OR. A cultural representative of the Confederated Tribes of the Siletz Reservation, Oregon has said that the shinny or Coho stick would have been used to enhance the spiritual development of the owner. Therefore, a shinny or Coho stick would have been uniquely and solely connected to the owner, and traditionally such items were buried with the owner. The Horner Collection, Oregon State University has no evidence that the shinny or Coho stick was ever buried with Andrew Smith or any other individual. However,