

**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 Peabody Museum of Archaeology and Ethnology at the address in this notice by May 31, 2016.

**ADDRESSES:** Patricia Capone, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496-3702.

**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 Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA, that meets the definition of a sacred object and an 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

A leather war cap was collected by Henry M. Wheelwright between 1901 and 1904 from an unknown location in the southwestern part of the United States. Initially, this object was part of a loan presented to the Peabody Museum by Ruth E. Wheelwright in 1939. The loan was subsequently converted to a gift in 1963. The cap is made of two leather pieces sewn together. It has a leather chin strap that is attached at two points on the bottom. A folded band of red fabric is applied along the bottom and is secured with a top layer of painted, serrated leather band sewn across the bottom. There are two cross symbols on the cap: A black one on one side and a red one on the opposite side. Underneath the red cross, the bottom edge of the cap has been cut in a serrated fashion. A cluster of 13 feathers are attached to the crown of the cap with leather thongs; the end of each feather is wrapped with sinew. The cap measures 13.5 x 47.5 x 41 cm (5<sup>5</sup>/<sub>16</sub> x 18<sup>1</sup>/<sub>16</sub> x 16 <sup>7</sup>/<sub>8</sub> in.)

In the initial loan documentation, the cap was described as "Apache

Southwest." At a later time, "Navajo" was added to the culture field on the museum catalogue card. Consultations with the Navajo Nation in 2013 confirmed that the item is not Navajo but is Western Apache. Further consultation with the White Mountain Apache Tribe indicate that stylistic and symbolic characteristics of this item are consistent with traditional Western Apache forms.

Anthropological, historical, and oral historical evidence indicate that the 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. In addition, these lines of evidence also support that this item has ongoing, traditional and cultural importance central to the Western Apache tribes and could not have been alienated, appropriated or conveyed by any individual tribal member at the time it was separated from the group.

#### Determinations Made by the Peabody Museum of Archaeology and Ethnology

Officials of the Peabody Museum of Archaeology and Ethnology 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 objects and object of cultural patrimony and the San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona.

#### 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 Patricia Capone, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue,

Cambridge, MA 02138, telephone (617) 496-3702, by May 31, 2016. After that date, if no additional claimants have come forward, transfer of control of the sacred object and object of cultural patrimony to the San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Reservation, Arizona may proceed.

The Peabody Museum of Archaeology and Ethnology is responsible for notifying the San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; and Yavapai-Apache Nation of the Camp Verde Reservation, Arizona.

Dated: April 4, 2016.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2016-10068 Filed 4-28-16; 8:45 am]

BILLING CODE 4312-50-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-20709;  
PPWOCRADNO-PCU00RP14.R50000]

#### Notice of Inventory Completion: Kansas State Historical Society, Topeka, KS

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

**SUMMARY:** The Kansas State Historical Society has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian tribes or Native Hawaiian organizations. 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 to the Kansas State Historical Society. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects 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 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 the Kansas State Historical Society at the address in this notice by May 31, 2016.

**ADDRESSES:** Dr. Robert J. Hoard, Kansas State Historical Society, 6425 SW. 6th Avenue, Topeka, KS 66615-1099, telephone (785) 272-8681 extension 269, email [rhoard@ksks.org](mailto:rhoard@ksks.org).

**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 and associated funerary objects under the control of the Kansas State Historical Society, Topeka, KS. The human remains and associated funerary objects were removed from Doniphan, Pottawatomie, and Shawnee Counties, KS.

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 human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the human remains was made by the Kansas State Historical Society professional staff in consultation with representatives of the Kaw Nation, Oklahoma.

#### History and Description of the Remains

On an unknown date, human remains representing, at minimum, one individual were removed from the Doniphan site, 14DP2, in Doniphan County, KS. The human remains were transferred in April 1990 to the Kansas State Historical Society by the Wallingford Historical Society of Wallingford, Connecticut. The Wallingford Historical Society acquired the human remains as a donation from Harold Stearns. Stearns had received the human remains around 1917 as a gift from George Remsburg, a well-known collector of Indian artifacts in the early 20th century. These human remains are identified by the designation UBS 1989-19B. No known individuals were identified. No associated funerary objects are present.

The human remains were packaged in a box with a paper museum label that

indicated the human remains were from "the Doniphan town site." This is almost certainly the well documented historic Kaw burial site known as the Doniphan site, 14DP2. The human remains are therefore interpreted as being affiliated with the Kaw Nation.

In 1987, human remains representing, at minimum, five individuals were removed from the Doniphan site, 14DP2, in Doniphan County, KS, and designated UBS 1990-28. These human remains were exposed by erosion and excavated by Kansas State Historical staff, done with the agreement of Bill Mehojah, then Chairman of the Kaw Tribe of Oklahoma. No known individuals were identified. There are 132 associated funerary objects: 1 Ceramic vessel, 18 beads, 1 pipe, 1 tablet, 2 Catlinite pieces, 1 bone awl, 1 bivalve shell, 1 gunflint, 1 projectile point, 35 pottery sherds, 71 flakes, 1 peach seed, 1 vial of squash seeds, 9 black seeds, daub, 2 cinders, charcoal, 1 sack of fibers, 1 geode, 1 crockery sherd, 2 abraders, both broken; and 1 vial rodent bones.

In 1936, human remains representing, at minimum, two individuals were removed from the Doniphan site in Doniphan County, KS, by A.T. Hill and John Champe of the Nebraska State Historical Society. The human remains were transferred to the Kansas State Historical Society in 1987 and designated UBS 1991-100. The human remains were identified as one adult and one juvenile of indeterminate sex. No known individuals were identified. No associated funerary objects are present.

In the 1960s, human remains representing, at minimum, one individual was removed from the Doniphan site in Doniphan County, KS. The human remains consist of an adult cranium. The human remains were first taken to Atchison County Historical Society, and then further transferred to Kansas State Historical Society and designated UBS 1991-104. The human remains were then sent to Kansas State University for analysis, and were returned to the Kansas State Historical Society in 1998. No known individuals were identified. No associated funerary objects are present.

In or around 1949, human remains representing, at minimum, two individuals were found on the Ford farm, presumably the Doniphan site, in Doniphan County, KS. A note with the human remains states that they were found exposed. The human remains were originally in the collections of Benedictine College in Atchison, KS. They were transferred to the Kansas State Historical Society in 1992,

designated UBS 1992-24-6 (24A) and analyzed by physical anthropologist Dr. Michael Finnegan in 1997. No known individuals were identified. No associated funerary objects are present.

On an unknown date, human remains representing, at minimum, two individuals were removed from the Blue Earth Village site, site 14PO24, in Pottawatomie County, KS. The human remains were donated to the Kansas State Historical Society in 1881 by private collector William J. Griffing and designated UBS 1991-66. No known individuals were identified. No associated funerary objects are present.

In 1937, human remains representing, at minimum, one individual were removed from a site presumed to be the Blue Earth Village site in Pottawatomie County, KS. The human remains were collected by A.T. Hill of the Nebraska State Historical Society. In 1991 the human remains were donated to the Kansas State Historical Society and designated UBS 1991-65. No known individuals were identified. The 9 associated funerary objects are 5 brass buttons, 1 lot of metal lace fragments, 1 lot of wood splinters, 1 piece red pigment, 1 lot of unidentifiable, decomposing material, possibly leather.

In 1986, human remains representing, at minimum, three individuals were removed from site 14SH339, Shawnee County, KS. The human remains were unearthed as a homeowner was building an addition to their house. The human remains were brought to the Kansas State Historical Society in 1987 and designated UBS 1989-5.

Osteological analysis was conducted by Dr. Eileen Burneau, chief pathologist, Kansas Bureau of Investigation; Dr. Kim Schneider, physical anthropologist, Wichita State University, and Dr. Michael Finnegan, physical anthropologist, Kansas State University. The associated funerary objects with the human remains date to the 1800s, and the site is on a high ridge overlooking the documented location of the American Chief Village, occupied by the Kaw during the period of A.D. 1832-1846. It is believed that these human remains and associated funerary objects are affiliated with the Kaw Nation of Oklahoma. No known individuals were identified. The 7 associated funerary objects are 1 bead, 1 railroad spike, 1 axe head, 1 piece of cloth with metal, 1 piece of wood, 1 sack of hair or fibers, and 1 sack of fabric.

#### Determinations Made by the Kansas State Historical Society

Officials of the Kansas State Historical Society have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 17 individuals of Native American ancestry.

- Pursuant to 25 U.S.C. 3001(3)(A), the 148 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 Kaw Nation, Oklahoma.

#### 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 Dr. Robert J. Hoard, Kansas State Historical Society, 6425 SW. 6th Avenue, Topeka, KS 66615-1099, telephone (785) 272-8681 extension 269, email [rhoard@kshs.org](mailto:rhoard@kshs.org), by May 31, 2016. After that date, if no additional requestors have come forward, transfer of control of the human remains the Kaw Nation may proceed.

The Kansas State Historical Society is responsible for notifying the Kaw Nation, Oklahoma that this notice has been published.

Dated: March 24, 2016.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-50-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-20769;  
PPWOCRADNO-PCU00RP14.R50000]

#### Notice of Intent To Repatriate Cultural Items: Robert S. Peabody Museum of Archaeology, Andover, MA

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

**ACTION:** Notice.

**SUMMARY:** The Robert S. Peabody Museum of Archaeology at Phillips Academy, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of sacred objects. Lineal descendants or representatives of any Indian tribe or

Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the Robert S. Peabody Museum of Archaeology. If no additional claimants come forward, transfer of control of the cultural items 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 these cultural items should submit a written request with information in support of the claim to the Robert S. Peabody Museum of Archaeology at the address in this notice by May 31, 2016.

**ADDRESSES:** Dr. Ryan J. Wheeler, Director, The Robert S. Peabody Museum of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, (978) 749-4490, email [rwheeler@andover.edu](mailto:rwheeler@andover.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 cultural items under the control of the Robert S. Peabody Museum of Archaeology, Andover, MA, that meet the definition of sacred 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 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 August, 1909, one item of both cultural and spiritual significance was removed from the White Earth Reservation in Becker County, MN. Museum documentation indicates that Warren K. Moorehead, Curator of the Robert S. Peabody Museum of Archaeology, acquired a birch bark scroll of the Midewiwin, or Grand Medicine Society (accession number 90.225.1) of White Earth from "Bay-bah-dwub-gay-aush," whom Moorehead's records listed as a "Shaman of the White Earth Reservation," to be protected in the museum at Andover.

In 1908, President Theodore Roosevelt appointed Warren K. Moorehead to the Board of Indian Commissioners, the group charged with public oversight of the Bureau of Indian

Affairs. After his appointment Moorehead learned from his colleagues at the Smithsonian Institution "of the dreadful situation on a dozen different reservations," including White Earth. He asked for permission and funds to investigate, which were granted by Commissioner of Indian Affairs Francis Leupp, who appointed Moorehead special agent.

Moorehead spent time at White Earth investigating various forms of land and other theft during a period of significant economic, cultural and religious oppression. It was in this environment that numerous objects of cultural and spiritual significance were removed from Anishinaabeg communities.

Consultations were held during a December 10-11, 2015, visit by officials from the White Earth Band of the Minnesota Chippewa Tribe who affirmed cultural affiliation to the birch bark scroll. In a letter dated January 15, 2016, the White Earth Band of the Minnesota Chippewa Tribe requested the return of the scroll due to its substantial cultural and religious significance and need for continued observance of traditional ceremonies that occur annually.

#### 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(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(2), there is a relationship of shared group identity that can be reasonably traced between the sacred object and the White Earth Band of the Minnesota Chippewa Tribe.

#### 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 these cultural items should submit a written request with information in support of the claim to Dr. Ryan J. Wheeler, Director, The Robert S. Peabody Museum of Archaeology, Phillips Academy, 180 Main Street, Andover, MA 01810, (978) 749-4490, email [rwheeler@andover.edu](mailto:rwheeler@andover.edu), by May 31, 2016. After that date, if no additional claimants have come forward, transfer of control of the sacred object to the White Earth Band of the Minnesota Chippewa Tribe may proceed.