

County, OR, designated by Dr. Bergen as 35Q. The human remains were held by Dr. Bergen until 1989 when they were accessioned by the Burke Museum (Accession no. 1989-57). No known individual was identified. According to Dr. Bergen's field notes, animal bones were uncovered with these human remains, but the animal bones were not accessioned. No associated funerary objects are present.

In 1972, human remains representing a minimum of two individuals, an adult and a juvenile, were removed from a site in Lake County, OR, near the Fort Rock Valley area. This site was designated by Dr. Bergen as 35A. The human remains were held by Dr. Bergen until 1989 when they were accessioned by the Burke Museum (Accession no. 1989-57). No known individuals were identified. The one associated funerary object is an obsidian knife.

In 1973, human remains representing one individual were removed from a site in Lake County, OR, near the Fort Rock Valley area, designated by Dr. Bergen as site 35R. The human remains were held by Dr. Bergen until 1989 when they were accessioned by the Burke Museum (Accession no. 1989-57). No known individual was identified. The two associated funerary objects are artiodactyl femur fragments.

According to John R. Swanton's 1968 book "The Indian Tribes of North America," the Walpapi and Yahuskin bands inhabited the shores of Goose, Silver, Warner, and Harney Lakes, OR, and in the "Smithsonian Handbook of North American Indians," the Yahuskin band is noted as an aboriginal inhabitant of the Fort Rock Valley area. The Fort Rock Valley area is within the boundaries of lands ceded by the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians by the terms of the "Treaty of Klamath Lake, Oregon with the Klamath, Modoc, and Yahooskin Band of Snake, October 14, 1864." These ceded lands became part of the Klamath Reservation, where, according to Robert Ruby and John Brown in "A Guide to the Indian Tribes of the Pacific Northwest," the Walpapi began to settle between 1867 and 1870.

Based on geographical information provided by tribal representatives during consultation, the archeological provenience of the human remains, ethnohistorical data, and the continuity of technology of material culture found with the human remains, museum officials have determined that the human remains and associated funerary objects are culturally affiliated with the Walpapi Band and the Yahooskin Band of Snake Indians, which are today

represented by the Klamath Indian Tribe of Oregon.

Officials of the Burke Museum have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of four individuals of Native American ancestry. Officials of the Burke Museum also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the three 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 the death rite or ceremony. Lastly, officials of the Burke Museum 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 Klamath Indian Tribe of Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Dr. Peter Lape, Curator of Archaeology, Burke Museum, Box 353010, University of Washington, Seattle, WA 98195, telephone (206) 685-2282, before June 2, 2003. Repatriation of the human remains and associated funerary objects to the Klamath Indian Tribe of Oregon may proceed after that date if no additional claimants come forward.

The Burke Museum is responsible for notifying Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon, Confederated Tribes of the Warm Springs Reservation of Oregon, Klamath Indian Tribe of Oregon, and Modoc Tribe of Oklahoma that this notice has been published.

Dated: April 9, 2003.

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

#### **Notice of Intent to Repatriate Cultural Items: Burke Museum, University of Washington, Seattle, WA**

**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 Burke Museum,

University of Washington, Seattle, WA, 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 within 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 within this notice.

The 244 cultural items are 3 strings of re-strung shell beads, 6 glass beads, 6 fragments of unidentifiable nonhuman bone (1 burned), 1 broken metal gorget, 1 metal thimble, 2 obsidian fragments, 4 pebbles, 164 glass beads, 48 fused glass pieces, 3 fused glass fragments with unidentifiable bone attached, and 6 necklaces of glass and shell beads.

At an unknown date in the late 19th century, Dr. James Taylor White collected archeological materials from Siskiyou County, CA. The collection included three strings of re-strung shell beads and six glass beads, all of which were donated by Mrs. James T. White to the Burke Museum, and formally accessioned in 1904 (Accession no. 846). Accession records indicate that these strings of beads were found in graves. The Burke Museum has no documentation indicating that human remains were collected. Provenience information indicates that the cultural items originated from areas on the Klamath River, Siskiyou County, CA, and on Shovel Creek, Siskiyou County, CA.

In 1925, Dr. Leslie Spier removed cultural items from a cremation along the middle Williamson River near Klamath Lake, Klamath County, OR. The objects collected by Dr. Spier are 6 fragments of unidentifiable nonhuman bone, including a fragment of burned bone, 1 broken metal gorget, 1 metal thimble, 2 obsidian fragments, 4 pebbles, 164 glass beads, 48 fused glass pieces, and 3 fused glass fragments with unidentifiable bone attached. Dr. Spier donated the collection to the Burke Museum the same year. The Burke Museum has no documentation indicating that human remains were collected. The mortuary practices are consistent with Klamath and Modoc customs.

In 1971, Charles Gazzam purchased six necklaces of glass and shell beads that originated from Tule Lake, Siskiyou County, CA. This collection was donated to the Burke Museum and accessioned in 1976 (Accession no.

1976-38). A note on the accession record reads, "from graves?"

The Williamson River near Klamath Lake, Klamath County, OR; the Klamath River, Siskiyou County, CA; Shovel Creek on the Klamath River, Siskiyou County, CA; and Tule Lake, Siskiyou County, CA, are all within the boundaries of lands ceded by the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians in the "Treaty of Klamath Lake, Oregon with the Klamath, Modoc, and Yahooskin Band of Snake, October 14, 1864." John R. Swanton, in his 1968 book, "The Indian Tribes of North America," draws on historical documentation and notes that the areas of Klamath Lake and the Williamson River, Klamath County, OR, are within the aboriginal territory of the villages and bands associated with the Klamath, and that the areas surrounding Tule Lake, Siskiyou County, CA, are within the aboriginal territory of the villages and bands associated with the Modoc. Based on archeological provenience, historical documentation, and geographical data provided by tribal representatives during consultation, officials of the Burke Museum have determined that the cultural items listed above are of Native American origin and that they are affiliated with the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians referred to in the 1864 Treaty. These groups are represented by the present-day Klamath Indian Tribe of Oregon. The Modoc Tribe of Oklahoma may also have a relationship to cultural items from this area, but they have informed the museum that the Klamath may act on their behalf.

Officials of the Burke Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the cultural items 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 specific burial sites of Native American individuals. Officials of the Burke Museum 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 Klamath Indian Tribe of Oregon.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact Dr. Peter Lape, Curator of Archaeology, Burke Museum, Box 353010, University of Washington, Seattle, WA 98195, telephone (206) 685-2282, before June 2, 2003. Repatriation of the unassociated funerary objects to

the Klamath Indian Tribe of Oregon may proceed after that date if no additional claimants come forward.

The Burke Museum, University of Washington, is responsible for notifying the Klamath Indian Tribe of Oregon and the Modoc Tribe of Oklahoma that this notice has been published.

Dated: April 9, 2003.

**John Robbins,**

*Assistant Director, Cultural Resources.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate Cultural Items: Springfield Science Museum, Springfield, MA: Correction**

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

**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.8 (f), of the intent to repatriate cultural items in the possession of the Springfield Science Museum, Springfield, MA, that meet the definition of unassociated funerary objects at 25 U.S.C. 3001 (3)(B).

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 within 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 within this notice.

This notice and a companion notice of inventory completion correction replace the notice of inventory completion that was published in the Federal Register on April 16, 1996 (FR Doc. 96-9366, page 16643). The two correction notices revise the total number of human remains and funerary objects and provide additional evidence for cultural affiliation. These corrections are necessary as the result of reevaluation of the collection and accompanying documentation that reduces the numbers of cultural items considered culturally affiliated with the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California. The total number of human remains is reduced from a minimum of 2 to 1 individual. The total number of funerary objects is reduced from 200 to 65 associated funerary objects and 39 unassociated funerary objects. The 39

unassociated funerary objects are described in this notice of intent to repatriate correction; the human remains and associated funerary objects are described in the companion notice of inventory completion.

In 1908, Dr. Jacob T. Bowne removed 39 cultural items from burial sites on Santa Cruz Island, Santa Rosa Island, and Goleta, all in Santa Barbara County, CA. The cultural items are 25 shell beads from Santa Cruz Island; 1 lead bullet, 11 leaf shaped stone blades, and 1 shell pendant from Santa Rosa Island; 1 stone tube pipe from Goleta. Dr. Bowne donated these cultural items to the Springfield Science Museum in 1925.

Museum documentation indicates that the cultural items were removed from specific burial sites. Archeological evidence indicates that the sites from which the cultural items were removed were used as burial/funerary areas from the Late Precontact period to the mid-19th century (A.D. 1400 to 1850). Analyses of funerary practices, tools, ornamentation, and funerary objects at various components of the site indicate cultural continuity throughout the Late Precontact period to the mid-19th century. Consultation evidence presented by representatives of the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California indicates that funerary practices, tool manufacture, ornamentation types, and funerary objects are identical to Chumash traditional practices documented in the Historic period. Overall evaluation of the totality of the circumstances and evidence indicates a probable cultural affiliation between the cultural items and several Chumash Indian groups, including the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California and several nonfederally recognized Indian groups.

Officials of the Springfield Science Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 39 cultural items 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 and are believed, by a preponderance of the evidence, to have been removed from specific burials sites of Native American individuals. Officials of the Springfield Science Museum 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 Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation, California.