

Southern Methodist University, Dallas, TX. The single bag of sherds was curated at Western New Mexico University, Silver City, NM, until the early 1990s when it was transferred to the Forest Supervisor's Office, Gila National Forest. The sherds are listed as having been recovered from a burial context.

LA 11609, LA 83194, LA 147976 and LA 148037 are a group of geographically and culturally related sites in the Burro Mountains of southwestern New Mexico. Based on material culture and site organization, the four sites have been identified as Mogollon villages occupied between A.D. 1000 and 1300.

In 1977, one ceramic vessel was removed from a burial context at LA 65250, Grant County, NM, as a result of illegal excavations by an unknown individual or individuals. The object was subsequently recovered by the Forest Service. The objects were curated at Western New Mexico University until the early 1990s when it was transferred to the Forest Supervisor's Office, Gila National Forest. The vessel is listed as having been recovered from a burial context.

Based on material culture and site organization, LA 65250 has been identified as a Mogollon village occupied between A.D. 1000 and 1200.

Continuities between ethnographic materials and technology indicate the affiliation of the above mentioned two Mogollon sites that are located in southwestern New Mexico with the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico. The oral traditions of the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico support the cultural affiliation of these three Indian tribes with Mogollon sites in southwestern New Mexico.

In 1973, 32 pottery sherds were removed illegally from an unknown site or sites in the area of Apache Creek, Catron County, NM, by Brad Triplehorn. Mr. Triplehorn subsequently donated the pottery sherds to the Ohio Historical Society, Columbus, OH, where they were curated until 2008 when the objects were transferred to the Forest Supervisor's Office, Gila National Forest. The sherds are listed as having been recovered from a burial context.

Based on material culture, the site(s) has been identified as Upland Mogollon and occupied between A.D. 600 and 1300.

In 1978, two ceramic vessels were removed from the WS Ranch Site (LA 3009) in Grant County, NM, during legally authorized excavations by the

University of Texas at Austin. These objects were curated at Western New Mexico University until the early 1990s when they were transferred to the Forest Supervisor's Office, Gila National Forest. The vessels are listed as having been recovered from a burial context.

Based on material culture and site organization, the WS Ranch site has been identified as an Upland Mogollon masonry pueblo which was occupied between A.D. 1150 and 1300.

Continuities between ethnographic materials and technology indicate the affiliation of the two Upland Mogollon sites that are located in west-central New Mexico with the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico. The oral traditions of the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico support the cultural affiliation of these three Indian tribes with Mogollon sites in west-central New Mexico.

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 36 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 U.S. Department of Agriculture, Forest Service, Gila National Forest 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 Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; 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 objects 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 April 24, 2009. Repatriation of the unassociated funerary objects to the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; 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 Pueblo of Acoma, New Mexico; Hopi Tribe of

Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: March 6, 2009

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E9-6509 Filed 3-24-09; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Intent To Repatriate Cultural Items: Texarkana Museums System, Texarkana, TX

**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 Texarkana Museums System (formerly the Texarkana Historical Museum), Texarkana, TX, 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.

From 1971 to 2008, private citizens from Miller County, AR, and Bowie County, TX, donated 209 unassociated funerary objects to the museum. There are no associated human remains in the museum collection for these funerary objects. The 209 unassociated funerary objects are 57 pieces of pottery; 2 stone tools; 1 projectile fragment; 2 stone knives; 7 clay pipes; 5 ear spools; and 135 pottery fragments.

The objects were found in Southwest Arkansas, Northeast Texas, and Southeast Oklahoma. These areas are associated with the Caddo Nation, and are in close proximity to identified and suspected Caddo burial sites. The decorative and construction techniques used in the pottery are consistent with Caddo traditional techniques and with other identified Caddo artifacts found in proximity to Caddo grave sites in the region. The unassociated funerary objects are related to the Caddo Nation who settled the Red River Valley more than 1,200 years ago. The Caddo Nation remained a strong presence in this

region well into the 18th century. Based on material culture and provenience, the unassociated funerary objects are reasonably believed to be culturally affiliated with the Caddo Nation of Oklahoma. Representatives of the Caddo Nation of Oklahoma have viewed the unassociated funerary objects and support a cultural affiliation of the Caddo Nation with these objects.

Officials of the Texarkana Museums System have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 209 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 Texarkana Museums System 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 Caddo Nation of Oklahoma.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact J.A. Simmons, Texarkana Museums System, PO Box 2343, Texarkana, TX 75504, telephone (903) 793-4831, before April 24, 2009. Repatriation of the unassociated funerary objects to the Caddo Nation of Oklahoma may proceed after that date if no additional claimants come forward.

The Texarkana Museums System is responsible for notifying the Caddo Nation of Oklahoma that this notice has been published.

Dated: March 10, 2009

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E9-6510 Filed 3-24-09; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion: Department of Anthropology, University of Massachusetts, Amherst, MA**

**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. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession and control of the

Department of Anthropology, University of Massachusetts, Amherst, MA. The human remains and associated funerary objects are believed to have been removed from a Maine coastal shell midden either east of the Penobscot Bay and/or possibly Bailey Island, Casco Bay, Cumberland County, ME.

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.

A detailed assessment of the human remains and an inventory of the associated funerary objects were made by the Department of Anthropology, University of Massachusetts, Amherst professional staff in consultation with Amherst College, Amherst, MA, and Smith College, Northampton, MA, and with the Wabanaki Intertribal Repatriation Committee, a non-Federally recognized Indian group, representing the Aroostook Band of Micmac Indians of Maine, Houlton Band of Maliseet Indians of Maine, Passamaquoddy Tribe of Maine, and Penobscot Tribe of Maine.

At an unknown date, human remains representing a minimum of four individuals are believed to have been removed from an unknown shell midden site in Maine. Sometime in the 1970s, the human remains and associated funerary objects became part of the collection of the Department of Anthropology, University of Massachusetts, Amherst, and became known as the Bailey Collection. No known individuals were identified. The 128 associated funerary objects are 3 felsite chunks; 22 carved bone pieces; 6 beaver teeth fragments; 9 carnivore and herbivore teeth fragments; 1 bone point; 9 animal bone fragments; 1 mammal claw; 9 bone harpoon tips; 2 axes, 4 blanks; 1 possible pestle; 1 axe-like lithic; 1 cobble; 8 ground and polished stone tools; 43 bifaces; 4 projectile points; and 4 pottery sherds.

The collection records do not provide a clear provenience for these materials, though they are suggestive that the collection was excavated by people during the early 20th century. It is unknown if the name "Bailey" refers to a collector's name, site name, or geographic placename. Additional research does not establish an association with the archeologist John H. Bailey who worked in Vermont in the 1930s, or with the work of archeologists

Alfred Bailey or L.W. Bailey. The collection may be from a site on Bailey Island in Casco Bay, ME, although there is no clear association to any known archeological excavations at this location. Documents in the collections records suggest that there might be a connection to the work of Professor Frederic Loomis of Amherst College, who conducted fieldwork at shell midden sites in Maine during the 1910s to 1930s. In 1914, Loomis donated some material collected from shell midden sites at Boothbay, Biggers Island, Winter Harbor, Sorrento, and Slave Islands to Professor Harris Hawthorne Wilder of Smith College, who was also excavating in Maine at the time. Sometime after 1966, shell midden materials from these sites were transferred from Smith College to the Department of Anthropology, University of Massachusetts, Amherst. Although the records from Amherst College and Smith College do not specifically mention the "Bailey" site, it is possible that the Bailey collection was part of this transfer.

In 1990, University of Massachusetts Professor Dena Dincauze, in consultation with Dr. Bruce Bourque of the University of Maine, concluded that the artifacts in the Bailey Collection are consistent with those recovered from coastal shell middens east of the Penobscot Bay, ME. During Bourque's assessment of the barbed harpoon forms, corner-notched Late Period bifaces, pebble adze and other ground stone pieces, and raw materials such as Kineo felsites and "trap" (possibly hornfels), he noted calcium carbonate deposits on some of the artifacts, which is typical of materials recovered from leaching shell middens. According to Dincauze, the styles of the artifacts indicate a date to the "Ceramic Period" of Maine, especially the last 1,500 years before European contact, though there are some artifacts (e.g., a large biface) that are similar to Middle Woodland (2000-1600 BP) artifacts. Bourque, Dincauze, and Dr. Arthur Spiess, of the Maine Historic Preservation Commission, have suggested that the style of the bone comb top in the collection resembles Beothuk or Inuit styles more characteristic of Newfoundland than Maine. However, since most of the materials are from the Ceramic Period, the officials of the Department of Anthropology, University of Massachusetts, Amherst, reasonably believe they are from the same type of burials. In 2008, a tribal representative of the Penobscot Tribe of Maine, after reviewing the materials, concurred with Dincauze and Bourque and found the