

reservation. The human remains representing a minimum of 21 individuals have been curated at Kutztown University of Pennsylvania since that time. No known individuals were identified. No funerary objects are present.

There are no artifacts from the site in the possession of Kutztown University of Pennsylvania. The collection has not been carbon dated, and establishing an associated date is not possible in the absence of artifacts. Mr. Miller, however, has reported that the graves were located in association with longhouses, and that some non-funerary objects (pottery) were recovered from the surface of the village. The only archeologically known sites that demonstrate similar burial patterns are from the Late Woodland (A.D. 800–1500) to historic time periods (A.D. 1500–present). The dentition of the individuals currently in the possession of Kutztown University of Pennsylvania suggests that individuals from several different time periods were removed from the site. The site may be 2,000–200 years old, though it most likely dates from the Late Woodland through contact and into early Historic periods.

The remains are considered to be Native American based on historical documents and skeletal features. Although many different burial customs are evident, the burial customs and location of the graves suggest that the remains are of Mohawk or Onondaga origin. Archeological evidence and oral history indicate that the Mohawk and Onondaga people, represented by the present-day Onondaga Nation of New York and St. Regis Band of Mohawk Indians of New York, have occupied this area since circa A.D. 1350.

Officials of Kutztown University of Pennsylvania have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of 21 individuals of Native American ancestry. Officials of Kutztown University of Pennsylvania 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 Native American human remains and the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. James Delle, Department of Anthropology, Kutztown University of Pennsylvania, Kutztown, PA 19530, telephone (610) 683-4243, before July 1, 2005. Repatriation of the

human remains to the Onondaga Nation of New York may proceed after that date if no additional claimants come forward. The St. Regis Band of Mohawk Indians of New York supports the repatriation of the human remains to the Onondaga Nation of New York.

Kutztown University of Pennsylvania is responsible for notifying the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York that this notice has been published.

Dated: May 20, 2005

**Paul Hoffman,**

*Deputy Assistant Secretary, Fish and Wildlife and Parks.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Intent to Repatriate a Cultural Item: National Guard Bureau, Texas Army National Guard (Texas Military Forces), Austin, TX**

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the National Guard Bureau, Texas Military Forces (TXMF, which is the state agency that, per 25 USC § 3001(8), has “control” of the cultural item) and the Texas Historical Commission (the state agency that has guardianship of the cultural item) determined that one unassociated funerary object in the collections of the TXMF, described below in **Information about cultural items**, is culturally affiliated with the Caddo Nation of Oklahoma. The cultural item is in the physical custody of the Texas Archaeological Research Laboratory at the University of Texas at Austin.

The National Park Service publishes this notice on behalf of the TXMF as part of the National Park Service’s administrative responsibilities under NAGPRA. The TXMF is solely responsible for information and determinations stated in this notice. The National Park Service is not responsible for the TXMF’s determinations.

Information about NAGPRA is available online at <http://www.cr.nps.gov/nagpra>.

**DATES:** Repatriation of the cultural item to the Caddo Nation of Oklahoma may proceed after July 1, 2005, if no additional claimants come forward. Representatives of any other Indian tribe

that believes itself to be culturally affiliated with the cultural item should contact the TXMF before July 1, 2005.

**SUPPLEMENTARY INFORMATION: Authority.** 25 U.S.C. 3001 *et seq.* and 43 CFR Part 10.

**Contact.** Contact Lieutenant Colonel Patrick T Dye, Environmental Program Manager, Texas Military Forces, P.O. Box 5218 (JFTX-G4-EV), Austin, TX 78763-5218, telephone (512) 782-6813, regarding determinations stated in this notice or to claim the cultural item described in this notice.

**Consultation.** TXMF officials and the University of Texas at San Antonio archeologists identified the cultural item and assessed the cultural affiliation of the cultural item at the request of the Caddo Nation of Oklahoma, and in consultation with representatives of the Caddo Nation of Oklahoma.

**Information about cultural items.** In 2000, archeologists with the Center for Archaeological Research, University of Texas at San Antonio removed one ceramic vessel during test excavations at site 41LR152, at the TXMF’s Camp Maxey facility in Lamar County, TX. The vessel was collected from level seven of excavation unit two, 70 centimeters below surface, and was in an upright position with no associated artifacts. In the report Camp Maxey III Archeological Testing of 23 Prehistoric Sites, Lamar County, Texas (Mahoney et al 2001), the vessel is described as a “fine grog-tempered plain jar, of undetermined type, with a direct rim and a flat lip, and a flat base.” Excavations around the vessel did not indicate any subsurface disturbances that would indicate a burial feature. However, an archeological consultant hired by the TXMF suggested that due to the condition of the vessel, and its depth and vertical orientation, the vessel may have been associated with a burial. TXMF agreed with the consultant and the conclusion that the vessel meets the definition of an “unassociated funerary object” as defined at 25 U.S.C. 3001 (3)(B). The site from which the cultural item was removed (Camp Maxey) is State and not Federal property.

During a meeting on April 10, 2003, the Caddo NAGPRA representative requested information regarding the ceramic vessel that was removed from site 41LR152 at the TXMF Camp Maxey facility, and which he believed might meet the definition of an unassociated funerary object. Intact ceramic vessels are typically encountered in association with burials and are rarely discovered in other contexts. The excavation report notes that, “the recovery of an intact

native ceramic vessel, with a terminal depth of 70cm bs, is a definite anomaly” but concedes that depending upon how long ago the vessel was deposited, “it is feasible to assume that the intrusive activity may no longer be discernable in the stratigraphy” (Mahoney et al 2001). The TXMF consultant suggested that the vessel may have been associated with a human burial, but that conditions at the site were not conducive to the preservation of human remains.

Radiocarbon dates and the absence of stratigraphic evidence for a pit indicate that the vessel is associated with the Woodland period. The archeological record in northeast Texas provides evidence for cultural continuity between the Woodland period and subsequent Caddo periods. Williams Plain pottery, which first appeared during the Woodland period, has been discovered in association with later Caddoan pottery; and in the Red River Basin, the production of Williams Plain pottery appears to have continued until the end of the Middle Caddoan period, circa A.D. 1300. This shared ceramic tradition suggests cultural continuity between the Woodland period inhabitants of the Red River Basin and later Caddo occupants of the basin.

**Determination.** Under 25 U.S.C. 3005, TXMF officials determined that the one ceramic vessel 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 a Native American individual.

TXMF officials determined that the unassociated funerary object is culturally affiliated with the Caddo Nation of Oklahoma.

**Notification.** The TXMF is responsible for sending a copy of this notice to the Caddo Nation of Oklahoma.

Dated: May 20, 2005.

**Paul Hoffman,**

*Deputy Assistant Secretary, Fish and Wildlife and Parks.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Inventory Completion: Oakland Museum of California, Oakland, CA

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 of the Oakland Museum of California, Oakland, CA. The human remains and associated funerary objects were removed from Mineral Creek in Pinal County, AZ.

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 was made by Oakland Museum of California professional staff in consultation with representatives of the Gila River Indian Community of the Gila River Indian Reservation, Arizona. The Gila River Indian Community of the Gila River Indian Reservation, Arizona is acting on behalf of the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O’odham Nation of Arizona, and themselves.

At an unknown date, human remains representing a minimum of one individual were removed from Mineral Creek in Pinal County, AZ, by person(s) unknown. In 1914, Mr. Otho Moses donated the human remains as part of a collection of geological and ethnographic materials to the Oakland Public Museum (now Oakland Museum of California). It is unknown how or when Mr. Moses acquired the human remains. No known individual was identified. The one associated funerary object is a bone awl.

Information in the Oakland Museum of California’s records describes the site from which the human remains and associated funerary objects were removed as being located 15 or 16 miles up the Gila River from Florence, AZ. Based on geographic location, skeletal morphology, and analysis of the associated funerary object, this individual has been identified as a Native American of Hohokam affiliation. Archeological, historical, and oral tradition evidence indicate that there is a relationship of shared group identity between the Hohokam people and the present-day Piman and

O’odham cultures, represented by the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O’odham Nation of Arizona.

Officials of the Oakland Museum of California have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Oakland Museum of California also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the one object 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. Lastly, officials of the Oakland Museum of California 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 object and the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O’odham Nation of Arizona.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary object should contact Carey T. Caldwell, Curator of Special Projects, Oakland Museum of California, 1000 Oak St., Oakland, CA 94607, telephone (510) 238-3842, before July 1, 2005. Repatriation of the human remains and associated funerary object to the Gila River Indian Community of the Gila River Indian Reservation, Arizona may proceed after that date if no additional claimants come forward. The Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O’odham Nation of Arizona supports the repatriation of the human remains and associated funerary object to the Gila River Indian Community of the Gila River Indian Reservation, Arizona.

The Oakland Museum of California is responsible for notifying the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian