

regarding which institution controls the cultural items has not been found. TVA and MM have, therefore, decided to jointly repatriate these items.

On October 6–16, 1941, human remains representing, at minimum, 18 individuals were removed from site 40DR62, in Decatur County, TN. Charles Nash and a WPA crew excavated two stone mounds at this site. One, unit 69, was two feet high and twenty feet in diameter. It had been disturbed by looting. The second, unit 70, was found along a rock ledge on the bluff terrace. Excavations were difficult, human remains were collected by excavation squares rather than specific burial features. There are no radiocarbon dates from this site, but stone mounds in this area commonly date to the Woodland period. The human remains represent two infants, four children and 12 adults. Most of the human remains were too fragmentary to identify sex. No known individuals were identified. The six associated funerary objects include one bison tooth, one bone artifact, two pieces of red ochre, and two shell beads.

From May 10 to July 7, 1939, human remains representing, at minimum, 58 individuals were removed from site 40HY1, in Henry County, TN. A field report by George Lidberg concludes that this site comprises an extensive Mississippian village, although natural erosion might have destroyed half the site. As many as 41 wall trench structures were defined at the site. The structures ranged in size from 11 x 11 feet to 20 x 25 feet. Seventeen hearths were also found in or near these structures. A section of a palisade wall 195 feet long was identified running parallel to the river. There are no known radiocarbon dates from this site. Shell-tempered and limestone/grit-tempered ceramics at the site suggest a Late Woodland through Mississippian occupation. All of the human remains from this site were either infants up to 18 months old, newborns, or fetuses. Sex could not be determined. No known individuals were identified. The 20 associated funerary objects include four animal bones, two turtle shell or bone, and 14 shell-tempered pottery sherds.

In mid-July, 1939, human remains representing, at minimum, one individual were removed from site 40HY4, in Henry County, TN. The site extended 500–600 feet along the Tennessee River and up to 250 feet from the river bank. Apparently, permission for excavations was restricted to a small area on the southern end of the site. No structures or pits were encountered. There are few details regarding the excavations at this site. The field report by George Lidberg indicates that

fragments of infant remains were encountered, but only adult remains were recorded and collected. There are no known radiocarbon dates for this site. Ceramics from the site suggest a Late Woodland to early Mississippian occupation. The human remains represent a single adult female. No known individuals were identified. No associated funerary objects are present.

In August 1939, human remains representing, at minimum, two individuals were removed from site 40HY10, in Henry County, TN. This site was located near West Sandy Creek, seven miles from its confluence with the Tennessee River. A mound eight feet in height and 50 feet in diameter had been disturbed by multiple looter pits. Two individuals were placed upon the original ground surface on a prepared bed of soil. Multiple soils were placed on these burials, including a distinctive white clay derived from a nearby swamp; atop them was a layer of vegetable matter. Traces of a third burial were found two feet above the base and on top of the first phase of mound building. There are no radiocarbon dates from this site. The ceramics and the nature of the burial mound suggest that it was created during the Middle Woodland period. Both individuals from this site were adult males. No known individuals were identified. The 18 associated funerary objects include two beaver incisors, one lot of black paint, one piece of galena, two lots of metallic paint, one mica mirror, one lot of orange paint, two paint stones, one ceramic sherd, one projectile point, one piece of red ochre, one scraper, one whetstone, and three pieces of yellow ochre.

#### **Determinations Made by the Tennessee Valley Authority and the McClung Museum of Natural History and Culture**

Officials of the Tennessee Valley Authority and the McClung Museum of Natural History and Culture have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on their presence in prehistoric archeological sites and osteological analysis.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 79 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 44 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), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary objects and any present-day Indian Tribe.

- The Treaty of October 19, 1818, indicates that the land from which the cultural items were removed is the aboriginal land of The Chickasaw Nation.

- Pursuant to 43 CFR 10.11(c)(1)(ii), the disposition of the human remains may be to The Chickasaw Nation. The Tennessee Valley Authority and the McClung Museum of Natural History and Culture have agreed to transfer control of the human remains to The Chickasaw Nation.

- Pursuant to 43 CFR 10.11(c)(4), the Tennessee Valley Authority and the McClung Museum of Natural History and Culture have agreed to transfer control of the associated funerary objects to The Chickasaw Nation.

#### **Additional Requestors and Disposition**

Representatives of any Federally-recognized Indian Tribe 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. Thomas O. Maher, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902–1401, telephone (865) 632–7458, email [tomahe@tnva.gov](mailto:tomahe@tnva.gov), by April 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to The Chickasaw Nation may proceed.

The Tennessee Valley Authority is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: February 19, 2020.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

**[NPS–WASO–NAGPRA–NPS0029875; PPWOCRADN0–PCU00RP14.R50000]**

#### **Notice of Inventory Completion: Tennessee Valley Authority, Knoxville, TN**

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

**SUMMARY:** The Tennessee Valley Authority (TVA) has completed an inventory of human remains and associated funerary object in consultation with the appropriate Federally-recognized Indian Tribes, and has determined that there is no cultural affiliation between the human remains and associated funerary object and any present-day Federally-recognized Indian Tribes. Representatives of any Federally-recognized Indian Tribe not identified in this notice that wish to request transfer of control of these human remains and associated funerary object should submit a written request to the TVA. If no additional requestors come forward, transfer of control of the human remains and associated funerary object to the Federally-recognized Indian Tribe stated in this notice may proceed.

**DATES:** Representatives of any Federally-recognized Indian Tribe not identified in this notice that wish to request transfer of control of these human remains and associated funerary object should submit a written request with information in support of the request to the TVA at the address in this notice by April 27, 2020.

**ADDRESSES:** Dr. Thomas O. Maher, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902-1401, telephone (865) 632-7458, email [tomaher@tva.gov](mailto:tomaher@tva.gov).

**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 object under the control of the Tennessee Valley Authority, Knoxville, TN. The human remains and associated funerary object were removed from archeological site 40HS12 in Humphreys County, TN.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). 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 object. The National Park Service is not responsible for the determinations in this notice.

#### Consultation

A detailed assessment of the human remains and associated funerary object was made by the TVA in consultation with representatives of the Cherokee Nation; Coushatta Tribe of Louisiana; Eastern Band of Cherokee Indians; The

Chickasaw Nation; The Muscogee (Creek) Nation; The Osage Nation (previously listed as the Osage Tribe); The Seminole Nation of Oklahoma; Thlopthlocco Tribal Town; and the United Keetoowah Band of Cherokee Indians in Oklahoma (hereafter referred to as "The Consulted Tribes").

#### History and Description of the Remains

40HS12, the Patterson site, was excavated as part of TVA's Kentucky reservoir project by the University of Tennessee, using labor and funds provided by the Works Progress Administration. Details regarding these excavations have never been published. Field reports regarding this site can be found at the McClung Museum of Natural History and Culture (MM) and the TVA. The human remains and associated funerary object listed in this notice have been in the physical custody of the University of Tennessee since they were excavated. This Mississippian mound complex was divided into multiple special units by the excavators (Charles Nash and J. Joe Finkelstein). Units 71 and 74 were burial mounds located on land purchased by TVA on May 13, 1941. The pyramidal mound (unit 70), village (unit 75), and small mounds (units 72 and 73) were not on land purchased by the TVA. According to Nash, excavations on unit 70 were "by private permission of the owners thru contract with the University of Tennessee." Consequently, only items from units 71 and 74 are under the control of the TVA.

The first documented excavation at this site was conducted by Clarence B. Moore during his 1914 tour of the Tennessee River Valley. Moore, who referred to this site as "Dixie Landing," dug numerous pits in the large pyramidal mound and adjacent smaller mounds. Moore does not indicate whether he recovered any funerary objects.

The field report for the mound in unit 74 lacks detail. It is described as a small, ovoid mound measuring 50 x 25 feet at its base. Finkelstein reports that, "The mound, some three feet in height at present, was built upon an old land surface. It contained the remains of four burial[s], all in the south half of the mound; the north half was pretty thoroughly disturbed by a large looter's pit." At present, no human remains from unit 74 have been found at the MM.

Unit 71 is a mound measuring 170 x 60 x ca.10 feet. It was heavily impacted by Moore and more recent looter pits prior to the Kentucky Reservation project. Nash indicates that the mound was made up of two phases of

construction. Phase B, the lowest level of mound, "was composed of a very dry brittle white clay . . ." In phase B Nash identified "four flesh burials, 1 skull, 2 open fire cremations and 1 pit cremation . . ." Phase A, the top-most layer, was made up of sandy humic clay. Within phase A Nash identified six in-flesh burials, one pit, five skulls, three stone box burials, one stone cist cremation, two clay basin cremations, and three open fire cremations. Evidence of stone box graves was only found in this upper phase of mound construction. From January 10 to April 3, 1942, human remains representing, at minimum, 25 individuals were removed from unit 71. Adults, one adolescent and one child are distinguished. No known individuals were identified. The one associated funerary object is a flint blade.

#### Determinations Made by the Tennessee Valley Authority

Officials of the Tennessee Valley Authority have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on their presence in a prehistoric archeological site and osteological analysis.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 25 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the one object described in this notice 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.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and the associated funerary object and any present-day Indian Tribe.
- According to final judgements of the Indian Claims Commission or the U.S. Court of Federal Claims, the land from which the cultural items were removed is the aboriginal land of the Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma.
- The Treaty of September 20, 1816, indicates that the land from which the cultural items were removed is the aboriginal land of The Chickasaw Nation.
- Pursuant to 43 CFR 10.11(c)(1)(ii), the disposition of the human remains may be to the Cherokee Nation; Eastern Band of Cherokee Indians; The Chickasaw Nation; and the United

Keetoowah Band of Cherokee Indians in Oklahoma.

- The Cherokee Nation; Eastern Band of Cherokee Indians; and the United Keetoowah Band of Cherokee Indians in Oklahoma have declined to accept transfer of control of the human remains. The Tennessee Valley Authority has agreed to transfer control of the human remains to The Chickasaw Nation.

- Pursuant to 43 CFR 10.11(c)(4), the Tennessee Valley Authority has agreed to transfer control of the associated funerary object to The Chickasaw Nation.

#### Additional Requestors and Disposition

Representatives of any Federally-recognized Indian Tribe 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. Thomas O. Maher, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902-1401, telephone (865) 632-7458, email [tomaher@tva.gov](mailto:tomaher@tva.gov), by April 27, 2020. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary object to The Chickasaw Nation may proceed.

The Tennessee Valley Authority is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: February 19, 2020.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0029919;  
PPWOCRADN0-PCU00RP14.R50000]

#### Notice of Inventory Completion: Pueblo Grande Museum, Phoenix, AZ

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

**ACTION:** Notice.

**SUMMARY:** The Pueblo Grande Museum has completed an inventory of human remains, 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 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 should submit a written request to the Pueblo Grande Museum. If no additional requestors come forward, transfer of control of the human remains 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 should submit a written request with information in support of the request to the Pueblo Grande Museum at the address in this notice by April 27, 2020.

**ADDRESSES:** Lindsey Vogel-Teeter, Pueblo Grande Museum, 4619 E. Washington Street, Phoenix, AZ 85034, telephone (602) 534-1572, email [lindsey.vogel-teeter@phoenix.gov](mailto:lindsey.vogel-teeter@phoenix.gov).

**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 under the control of the Pueblo Grande Museum, Phoenix, AZ. The human remains were removed from Maricopa, Pinal, or Gila 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. 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 Pueblo Grande Museum professional staff in consultation with representatives of the Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and the Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona. The Ak-Chin Indian Community (previously listed as Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona); Apache Tribe of Oklahoma; Fort Sill Apache Tribe of Oklahoma; Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico;

San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tohono O'Odham Nation of Arizona; Tonto Apache Tribe of Arizona; and the White Mountain Apache Tribe of the Fort Apache Reservation, Arizona were invited to consult but did not participate. Hereafter, all Indian Tribes listed in this section are referred to as "The Consulted and Notified Tribes."

#### History and Description of the Remains

Sometime prior to 1959, human remains representing, at minimum, one individual were removed from an unidentified cave site in the Superstition Mountains in Maricopa, Pinal or Gila County, AZ. Accompanying information states that this individual was found exposed in a cave lying in a flexed position, and was likely an Apache. In March 1959, the individual was transferred to Pueblo Grande Museum by Roy Johnson. The human remains were partially on display in an exhibit case until at least 1973. They comprise a complete skeleton, and include preserved soft tissue. The human remains belong to an adult male 30-35 years old. No known individuals were identified. No funerary objects are present.

Based on the original collecting history, this individual may be culturally affiliated with the Apache Tribes. Bioarcheological markers documented in 2018 further suggest that this individual had a hunter-gatherer lifestyle consistent with Archaic or Apache affiliation. The Superstition Mountains are within the traditional lands and historic migration paths of the Apache Tribe of Oklahoma; Fort Sill Apache Tribe of Oklahoma; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; 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 the Yavapai-Apache Nation of the Camp Verde Reservation, Arizona. Additionally, during consultation, a representative from the Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona stated that ancestral O'Odham were interred in a flexed position in caves, and identified this individual as culturally affiliated with the Four Southern Tribes, also known as the O'Odham. They are the Ak-Chin Indian Community (previously listed as 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-