

# *United States Department of the Interior*

## **NATIONAL PARK SERVICE**

Investigative Services Branch

Honorable Stephanie M. Rose  
United States Attorney  
Northern District of Iowa  
401 1<sup>st</sup> St. SE Suite 400  
Sioux City, IA 51106

ATTENTION: Assistant United States Attorney Forde Fairchild

Dear Sir:

Under the provisions of law, there is reported below a violation of the laws of the United States committed within your district involving any person who knowingly violates, or counsels, procures, solicits, or employs any other person to violate, any prohibition including the excavation, removal, damaging, alteration and/or defacement of archaeological resources; any person who sells, purchases, exchanges, transports, receives, any archaeological resource excavated or removed from public lands; any person who falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes any materially false, fictitious, or fraudulent statement or representation; makes or uses any false writing or fraudulent document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

<u>OFFENDER:</u>	Thomas A. Munson
<u>CRIMINAL RECORD:</u>	None
<u>VIOLATION OF LAW:</u>	16 U.S.C. § 470ee(a) & (b) & (d) 18 U.S.C. § 1001(a)(1) & (2) & (3)
<u>DATE, TIME AND PLACE OF ARREST(S):</u>	TBD
<u>PENDING ARRESTS:</u>	TBD
<u>PLACE OF VIOLATION:</u>	Effigy Mounds National Monument
<u>PHYSICAL AND DOCUMENTARY EVIDENCE:</u>	Statements of witnesses  Archeological Damage Assessment  Interviews of Thomas A. Munson

Consent to Search – Evidence  
recovery

Dr. Shirley Schermer – Osteologist  
Iowa Office of the State  
Archeologist – Inventory and  
analysis of recovered remains

April 11, 2012, The Gazette –  
*Federal investigation launched into  
missing bones at Effigy Mounds -*

Nov. 18, 1997 Memorandum –  
Conversation with Tom Munson –  
by Katherine Miller (EFMO  
Superintendent)

Nov. 17, 1997 Memorandum –  
Conversation with Tom Munson –  
by Katherine Miller (EFMO  
Superintendent)

Feb. 2, 1996 Memorandum of  
Conversation (s) – by Karen Gustin  
(EFMO Superintendent)

July 16, 1990 – Report of Survey –  
EFMO

July 13, 1990 – Housing  
Occupancy/Vacancy Inspection  
Form – EFMO

April 27, 1989 – Memorandum –  
Management of Human Remains in  
the Effigy Mounds National  
Monument Museum Collections –  
Staff Curator, Curatorial Services  
Division, WASO

WITNESSES

Special Agent David Barland-Liles  
Case Agent  
Investigative Services Branch  
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## Effigy Mounds National Monument (NPS)

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## Midwest Archaeological Center (NPS)

Dr. Jeffrey Richner - Midwest Archeological Center –  
Archaeologist (retired)

(b) (6), (b) (7)(C)  
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## Additional National Park Service employees

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Kathleen Miller  
Former EFMO Superintendent (retired)  
(b) (6), (b) (7)(C)

[Redacted]

Karen Gustin  
Former EFMO Superintendent (retired)  
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[Redacted]

Dr. Caven Clark  
Archaeologist (Damage Assessment author)  
Buffalo National Scenic River  
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### Iowa Office of the State Archaeologist

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### Affiliated Native American Tribes (victims)

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#### Iowa Tribe of Oklahoma

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Shakopee Mdewakanton Sioux Community of Minnesota  
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Lower Sioux Indian Community of Minnesota  
Chairman Gabe Prescott    Anthony Morse  
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Prairie Island Indian Community of Minnesota  
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Sac and Fox Tribe of the Mississippi in Iowa  
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Sac and Fox Nation of Oklahoma  
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HISTORY OF CASE:

See Attachment A- Basis of Case

TESTIMONY OF WITNESSES:

Witnesses will testify to the facts contained in the attachments as follows.

Attachment B- David Barland-Liles

Attachment C- Effigy Mounds

National Monument

Attachment D- Midwest  
Archeological Center (NPS)

Attachment E- Additional NPS  
employees

Attachment F- Iowa Office of the  
State Archeologist

REMARKS:

SINCERELY,

David Barland-Liles  
Special Agent

Approved:

Jeffrey D. Pascale  
Assistant Special Agent in Charge

## ATTACHMENT A- BASIS OF CASE

The Native American Graves Protection and Repatriation Act (NAGPRA – 25 U.S.C. § 3001) was enacted on Nov. 16, 1990. NAGPRA requires Federal agencies to return Native American cultural items including human remains, funerary items, sacred objects and objects of cultural patrimony to the tribe(s) affiliated with those items.

On or about July 16, 1990, prior to the enactment of NAGPRA, the Superintendent of Effigy Mounds National Monument (EFMO) 1971-1994), Thomas A. Munson, ordered a seasonal National Park Service (NPS) employee, (b) (6), (b) (7)(C) to remove all human remains (Native American) stored in the Monument's museum collection. The human remains in the collection had been removed from prehistoric burial sites within the monument during mid-century archeological excavations. Munson told (b) (6), (b) (7)(C) the remains needed to be removed before the enactment of NAGPRA in an attempt to maintain possession of the collections' funerary objects since they can no longer be associated with human remains. Munson told (b) (6), (b) (7)(C) the funerary objects are more valuable to the collection than the human remains. (b) (6), (b) (7)(C) removed the human remains and placed them in two boxes. (b) (6), (b) (7)(C) and Munson both carried a box to Munson's vehicle and placed them in the trunk. Munson told (b) (6), (b) (7)(C) he was taking the remains to his home in Prairie du Chien Wisconsin. EFMO is an area of concurrent Federal jurisdiction in Allamakee County Iowa. These acts were a violation of the Archaeological Resources Protection Act (ARPA – 16 U.S.C. § 470(ee)(a), (b) & (d)).

At Munson's direction, (b) (6), (b) (7)(C) prepared a Report of Survey of the human remains indicating they had been "deaccessioned" and "abandoned" on July 16, 1990. This Report of Survey was signed by Munson as well as EFMO's Chief Ranger, (b) (6), (b) (7)(C) and EFMO's Chief of Maintenance, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) were on the Board of Survey for EFMO. (b) (6), (b) (7)(C) was told by Munson animal bones were being removed from the museum collection. (b) (6), (b) (7)(C) was unaware what type of property was being "abandoned." A proper deaccession requires the transfer of the human remains from one legitimate owner to another, i.e. EFMO to an affiliated tribe or other Federal entity. The abandonment of human remains from a Federal museum collection by any NPS entity is impossible to do legally.

Munson retired from the National Park Service in 1994.

NAGPRA required all federal agencies to provide an inventory of all cultural items within their collections by Nov. 16, 1995. NPS officials and subject matter experts were unaware Munson removed the human remains from EFMO's collection. As the inventory date approached and passed numerous attempts were made by the NPS to locate the remains as confusion of their whereabouts increased. During these attempts Munson was contacted by two EFMO Superintendents. On Feb. 8, 1996, Munson told Superintendent Karen Gustin the remains were sent to the Iowa Office of the State Archaeologist (OSA) in Iowa City and the Midwest Archeological Center (MWAC – (NPS)) in Lincoln Nebraska. Both OSA and MWAC had no record of receiving the human remains itemized (by accession and catalogue number) in the 1990 Report of

Survey. On November 17, 1997, Munson told EFMO Superintendent Kathleen Miller the remains were deaccessioned and stored in a maintenance locker which was eventually junked. Munson speculated the human remains were accidentally thrown out with the locker.

In 1997 the NPS contracted an archaeologist, Dr. Dale Henning, to investigate the missing remains. Dr. Henning's research determined EFMO apparently deaccessioned the remains in July of 1990 and the human remains have since disappeared. Continued efforts by the NPS to locate the remains in reaction to this report were unsuccessful. The NPS at this point was unable to recognize a crime may have been committed or fully realize the improbability of human remains disappearing after a proper deaccession. (b) (6), (b) (7)(C) who continued to work at EFMO (Administrative Assistant), and was the primary source of NPS assistance to Dr. Henning during his investigation, never divulged her knowledge of the 1990 event until she was directly asked about her participation during a voluntary interview with a Special Agent on Jan. 18, 2012, which was the second time she was interviewed by the Special Agent on this matter.

In July of 2010, EFMO's sole law enforcement Park Ranger, Robert Palmer, was with Munson socially. Palmer has known Munson most of his life and went to school with Munson's daughter. Munson mentioned he had a box of EFMO property at his house that was accidentally moved with his personal goods when he moved out of NPS housing prior to retiring. Munson stated the box was material collected by an archaeologist from Luther College (Decorah Iowa) while researching an EFMO archeological site called the "FTD site." The FTD site was historically a farm dump for deceased animals and Munson speculated the items were animal bones and must not have had archeological value, therefore they ended up in a garage used by him and EFMO's maintenance division.

In April 26, 2011, a new EFMO Superintendent, Jim Nepstad, was reading the report written by Dr. Dale Henning which was handed to him by (b) (6), (b) (7)(C). He was intrigued by the findings and consulted with Ranger Palmer. Palmer had never seen the report and was not aware human remains had disappeared from EFMO's collection after a "deaccession" in 1990. The report reminded Palmer of the 2010 discussion he had with Munson regarding the animal bones from EFMO stored in his garage. Palmer met with Munson at his Prairie du Chien Wisconsin residence inquiring about the box. They unsuccessfully attempted to locate the box. The following day Munson called Palmer to tell him he found the box. Palmer retrieved the box from Munson at Munson's residence. Since Palmer was told the box contained animal bones that were accidentally moved to Munson's house he had no reason to speculate he now possessed part of the 1990 "deaccession" of human remains.

Palmer returned to EFMO and upon opening a black plastic bag within the box he immediately recognized human bones with EFMO museum collection catalogue numbers written on them. Subsequent examinations of the remains indicated approximately 1/3 of the human remains removed by Munson and (b) (6), (b) (7)(C) in 1990 were in the box. Palmer, assuming Munson's story of the boxes being accidentally moved to his home prior to



retirement, asked Munson to check the rest of his garage for any additional boxes of bones. Munson stated he found no additional boxes.

Further investigation by Palmer and Nepstad of EFMO records indicated numerous alarming inconsistencies and they began to realize a crime may have been committed.

On January 18, 2012, Munson participated in a voluntary interview with a NPS Special Agent. Munson stated he received a “directive” from an unspecified NPS source to remove the human remains from EFMO’s collection prior to the enactment of NAGPRA. Munson stated he ordered (b) (6), (b) (7)(C) to do so and then personally drove them to MWAC, in Lincoln Nebraska, where NPS archaeologists removed the human remains they wished to keep for research purposes. Munson stated the unwanted human remains were shipped back to EFMO where they were stored in a garage used by him and the maintenance division. Munson stated the box was accidentally mixed with his personal items when he was moved to his new home in Prairie du Chien Wisconsin. According to EFMO records, Munson moved out of NPS housing before July 13, 1990. EFMO records indicate the “deaccession” occurred on July 16, 1990. When confronted with the discrepancy of his story in relation to the recorded dates, Munson stated the dates written on forms are not necessarily the dates of the events.

A records search by Superintendent Nepstad, along with numerous interviews by the Special Agent was conducted for any evidence of the “directive” described by Munson. No evidence was found. An April 27, 1989 Memorandum from the NPS Curatorial Services Office to Superintendent Munson was located. It stated, “*Options for managing the material as part of the museum collection include continued specimen cabinet storage at the monument, curation at the Midwest Archeological Center, or reburial on park land with the option to re-excavate if necessary for future research.*”

On May 17, 2012, Munson was again voluntarily interviewed by the NPS Special Agent. Munson admitted he lied about the directive and the trip to MWAC. Munson consented to a search of his garage. Within thirty seconds the Agent was able to locate a second box of human remains marked with EFMO catalogue numbers. The box was stored a few feet from the front bumper of Munson’s minivan. The box was seized as evidence. Munson stated he knew the boxes were in his garage the whole time.

Munson described his motive by stating he believed NAGPRA was a bad law and he was infected by a “contagion bomb” originating for the archaeological community which feared the potential effects NAGPRA may have on Federal research/museum collections. Munson stated he felt NAGPRA would enable modern day Native American Tribes to inaccurately and unscientifically affiliate themselves with the remains and funerary objects in EFMO’s collection which would allow them to illegitimately take possession of the museum collection.

On May 18, 2012, the Agent transferred the evidence to Dr. Shirley Schermer at the Iowa Office of the State Archaeologist in Iowa City. Dr. Schermer was hired by the NPS to research EFMO’s collection in the mid 1980’s, including the human remains that were

removed from the collection by Munson and (b) (6), (b) (7)(C) in 1990. By May 23, 2012, Dr. Schermer was able to determine the boxes recovered by Ranger Palmer and the Special Agent consisted of the vast majority of the collection removed from EFMO by Munson and (b) (6), (b) (7)(C) in 1990. Dr. Schermer noted damage had occurred to some of the human remains possibly due to poor transport and storage conditions encountered since 1990. This damage accounts for her inability to identify all of the 1990 “deaccession” since some human bones appear to have been broken or fragmented beyond recognition.

An Archaeological Damage Assessment was prepared by Dr. Caven Clark of the NPS. The total cost of archaeological damage and restoration and repair, which includes repatriation and reburial, is \$296,205.00.

ATTACHMENT B- WITNESS TESTIMONY

David Barland-Liles  
Special Agent  
National Park Service  
Investigative Services Branch  
11 North Fourth St.  
St. Louis, Missouri 63102-1882  
(573) 772-0887

David Barland-Liles is the NPS case agent and can provide details as to suspect interview, witness interviews, and investigative measures taken.

ATTACHMENT C – WITNESS TESTIMONY  
Effigy Mounds National Monument

Jim Nepstad can testify to organizing a group to assist with the investigation while maintaining confidential correspondence with interested affiliated tribes. Nepstad also searched EFMO files which uncovered valuable documentation related to the removal of the human remains in 1990, attempts to locate the missing human remains by the NPS and subsequent reaction to the alleged disappearance of the remains.

(b) (6), (b) (7)(C) can testify to being ordered to remove the human remains from EFMO's museum collection by Munson. (b) (6), (b) (7)(C) was told by Munson the remains needed to be removed prior to the enactment of the NAGPRA in order to increase the likelihood of EFMO to maintain possession of the associated funerary objects. (b) (6), (b) (7)(C) helped Munson carry the human remains to his vehicle and was aware he was going to transport them to his residence in Prairie du Chien Wisconsin. (b) (6), (b) (7)(C) was ordered to create a Report of Survey to document the "deaccession" of the human remains from EFMO's museum collection. Criminal prosecution of (b) (6), (b) (7)(C) was declined on July 17, 2012. She was removed from Federal employment after a subsequent administrative investigation.

(b) (6), (b) (7)(C) can testify to signing the Report of Survey without understanding what the attached accession and catalogue numbers represented.

ATTACHMENT D- WITNESS TESTIMONY  
Midwest Archaeological Center (MWAC - NPS)

Dr. Jeffrey Richner can testify to researching MWAC records to determine none of the human remains identified in the 1990 “deaccession” were transferred to MWAC.

ATTACHMENT E – WITNESS TESTIMONY  
Additional NPS employees

Robert Palmer can testify to recovering the initial box of human remains from Munson's residence after Munson told him the box contained animal bones.

(b) (6), (b) (7)(C) can testify to signing the 1990 Report of Survey after Munson told him animal bones were being removed from the collection.

Karen Gustin can testify to attempting to locate the missing human remains in 1995 and 1996. Gustin can testify to a phone conversation with Munson where he told her the remains were deaccessioned and transferred to the Iowa Office of the State Archeologist and/or the Midwest Archeological Center.

Kathleen Miller can testify to two phone conversations she had with Munson in 1997 where he told her the remains were accidentally thrown out after being stored in a dilapidated metal locker.

Dr. Caven Clark can testify to the findings of the Archaeological Damage Assessment.

ATTACHMENT F- WITNESS TESTIMONY  
Iowa Office of the State Archeologist

Dr. Shirley Schermer is an Osteologist and can testify to researching EFMO's human remains in the 1980's and re-examining and performing an inventory of the remains recovered from Munson.

National Monument

Attachment D- Midwest  
Archeological Center (NPS)

Attachment E- Additional NPS  
employees

Attachment F- Iowa Office of the  
State Archeologist

REMARKS:

SINCERELY,

David Barland-Liles  
Special Agent

Approved:



Jeffrey D. Pascale  
Assistant Special Agent in Charge



**ARCHEOLOGICAL DAMAGE ASSESSMENT  
EFFIGY MOUNDS NATIONAL MONUMENT**

**# ISB-MW-11-0404**

**May 8, 2013**

**Caven Clark, PhD  
Cultural Resource Management Specialist  
Buffalo National River  
National Park Service  
United States Department of the Interior**

**ADMINISTRATIVE SUMMARY**

In 1990, 2,135 whole and fragmentary prehistoric human remains corresponding to 41 individuals, originally from twelve archeological sites, were removed from the curatorial storage facility of Effigy Mounds National Monument, a unit of the National Park Service, United States Department of the Interior. These remains were transported from the park (in Iowa) to a location in Wisconsin in violation of the Archeological Resources Protection Act (ARPA).

The following damage assessment values were determined as a result of this activity:

Commercial Value	<b>\$00</b>
Archaeological Value	<b>\$120,900</b>
Restoration and Repair	<b>\$175,305</b>

As per the prohibited acts and criminal penalties section of ARPA (16 USC 470ee), the cost of restoration and repair can be combined with either the archeological or commercial values involved in the violation to comprise the total value of the archeological resource damage. The monetary damage amount is determined by combining (1) the commercial value and the cost of restoration and repair of these resources \$140,405 or (2) the archeological value and the cost of restoration and repair of the resource \$296,205.

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## **INTRODUCTION**

This Damage Assessment was initiated at the request of ISB Special Agent David Barland-Liles in response to the discovery that the theft, transportation, handling, and treatment of certain prehistoric human remains obtained from federal lands may have constituted a violation of the Archeological Resources Protection Act (ARPA). This Damage Assessment was initiated on June 6, 2012, the purpose of which was to provide the values and costs defined by ARPA relative to this incident.

This incident took place at Effigy Mounds National Monument (EFMO) in northeast Iowa. President Harry Truman proclaimed the establishment of the monument on October 25, 1949:

. . . that, subject to all valid existing rights, the lands within the following-described boundaries and shown on the diagram hereto attached and forming a part hereof which belong to the United States are hereby reserved and established as a national monument, to be known as the Effigy Mounds National Monument; and that the lands within such boundaries which do not now belong to the United States shall become a part of such monument upon the acquisition of title thereto by the United States.

## **ARCHAEOLOGICAL RESOURCE DESCRIPTION**

ARPA states that, "the term "archaeological resource" means any material remains of past human life or activities which are of archaeological interest ... at least 100 years of age" (16 USC 470bb(1)). In the ARPA Uniform Regulations, the term "material remains" is defined as, "... physical evidence of human habitation, occupation, use, or activity, including the site, location, or context in which such evidence is situated" (43 CFR 7.3(a)(2)). The ARPA Uniform Regulations state that, "'Of archeological interest' means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation" (43 CFR 7.3(a)(1)).

The following classes of material remains (and illustrative examples) if they are at least 100 years of age, are of archaeological interest and shall be considered archaeological resources unless determined otherwise pursuant to paragraph (a)(4) or (a)(5) of this section:

- (i) Surface or subsurface structures, shelters, facilities, or features (including, but not limited to, domestic structures, storage structures, cooking structures, ceremonial structures, artificial mounds, earthworks, fortifications, canals, reservoirs, horticultural/agricultural gardens or fields, bedrock mortars or grinding surfaces, rock alignments, cairns, trails, borrow pits, cooking pits, refuse pits, burial pits or graves, hearths, kilns, post molds, wall trenches, middens);
- (ii) Surface or subsurface artifact concentrations or scatters;
- (iii) Whole or fragmentary tools, implements, containers, weapons and weapon projectiles clothing, and ornaments (including, but not limited to, pottery

and other ceramics, cordage, basketry and other weaving, bottles and other glassware, bone, ivory, shell, metal, wood, hide, feathers, pigment, and flaked, ground or pecked stone);

- (iv) By-products, waste products, or debris resulting from the manufacture or use of human-made or natural materials;
- (v) Organic waste (including, but not limited to, vegetal and animal remains, coprolites);
- (vi) Human remains (including, but not limited to, bone, teeth, mummified flesh, burials, cremations);
- (vii) Rock carvings, rock paintings, intaglios and other works of artistic or symbolic representation;
- (viii) Rockshelters and caves or portions thereof containing any of the above material remains;
- (ix) All portions of shipwrecks (including, but not limited to, armaments, apparel, tackle, cargo);
- (x) Any portion or piece of any of the foregoing" (43 CFR 7 (A)(3)).

The damaged resources involved in this case related to 43 CFR 7.3(A)(3)(vi) consist of 2,135 whole and fragmentary human remains representing 41 individuals. Note that the absolute numbers may vary slightly from one report to another owing to accidental breakage or incorrect counting of very small fragments. This variation does not materially affect this report or the calculated values and costs in any way. These remains were recovered from twelve archeological sites within the boundaries of EFMO and housed in the park's curatorial facility. They are the remains of prehistoric Native Americans buried in and around the complex of effigy mounds for which the park was created. Effigy mounds are man-made earthen structures that are in the shape of animals and birds. There are also non-effigy mounds which are conical and linear associated with this prehistoric cultural complex. They are of archeological interest in terms of the scientific information potential with regards to demography, pathology, and cultural affiliation. They are highly significant to today's Indian descendants as the tangible link to their past in a sacred and spiritually charged landscape.

As a measure of archeological interest, a Cultural Affiliation Study was completed in 2001 for EFMO:

The purpose of this study is to determine whether prehistoric, historic and contemporary affiliations exist between American Indians and the land and natural and cultural resources within the monument and to document and analyze any affiliations identified. While the major emphasis of the solicitation is on the land and resources within the Monument boundaries itself, it is understood that it will be necessary to focus on regional rather than park-specific research data and materials to accomplish this task.

The study will identify any groups who have both traditional and contemporary ties specifically to the Monument resources and region, describing relationships between park land and natural and cultural resources and associated past and present peoples.

The results of the study will 1) prepare managers to anticipate resource use issues that may affect their park, and place them in a better position to understand and deal with such issues in the future, and more immediately, 2) provide managers with the necessary information to address the cultural affiliation and consultation requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) and other legislation, policy, and regulations that address peoples traditionally associated with park resources. [Green et al. 2001:1].

The Cultural Affiliation Study informs park management by providing:

- \* descriptions of any American Indian groups who may be determined to be culturally affiliated with the Monument and its resources. Included should be the following summaries: 1) Summarize the relationships determined between mound builders and contemporary Indian groups; and 2) Summarize the relationships determined between specific objects (including human remains) in park collections to contemporary Indian groups or individuals who may be descendants; and 3) Summarize the relationship determined between other park resources to contemporary Indian groups; and

- \* a comprehensive summary of the cultural history of each of the potentially affiliated groups; and

- \* descriptions of occupation and use, past and present (prehistoric and historic), of the area in and around the Monument by traditionally associated groups of people; and

- \* descriptions of potentially existing rights arising from treaties, agreements, and laws; and

- \* a current "selectively annotated" bibliography of ethnographic information on Effigy Mounds National Monument and traditionally associated peoples; and

- \* a references section of sources cited in the final report; and

- \* a record of consultations (if applicable) with American Indians and other members of traditionally associated groups whose lifeways and cultural resources may be affected by park management plans and actions; and

- \* suggestions for further studies on Effigy Mounds National Monument associated groups and resources which may be designed and conducted to develop more complete information on which to base future decisions by the Monument Superintendent with regard to ethnographic issues and concerns that have the potential to affect management of the Monument resources. [Green, et al. 2001:2]

Another indicator of the archaeological interest of Effigy Mounds National Monument, including the sites in question, and the archaeological resources they contain, is the status of this district relative to inclusion in the National Register of Historic Places (NRHP). The NRHP was created by the National Historic Preservation Act of 1966 (P.L. 89-665; 80 Stat. 915; 16 U.S.C. 470), as amended, as a register of, "... districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture" (16 U.S.C. 470a(a)(1)(A)). The entire monument was placed on the NRHP in 1966. A district that is eligible for inclusion in the NRHP definitely has archaeological interest as this term is defined by ARPA.

To be considered an archaeological resource under ARPA, it must be determined that the affected material remains are at least 100 years old. The period embracing the construction and use of the Effigy Mounds is believed to be between AD 650 and 1050 [Green 2001:76 in Green et al 2001] placing the remains in question at an age between 1,362 and 961 years old.

### **ARCHAEOLOGICAL RESOURCE DAMAGE**

The Prohibited Acts and Criminal Penalties Section of ARPA (16 USC 470ee(a)) states that:

#### **Section 6**

(a) No person may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological resource located on public lands or Indian lands unless such activity is pursuant to a permit issued under section 4 of this Act, a permit referred to in section 4(h)(2) of this Act, or the exemption contained in section 4(g)(1) of this Act.

(b) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange any archaeological resource if such resource was excavated or removed from public lands or Indian lands in violation of— (1) the prohibition contained in subsection (a) of this section, or (2) any provision, rule, regulation, ordinance, or permit in effect under any other provision of Federal law, state or local law.

(c) No person may sell, purchase, exchange, transport, receive, or offer to sell, purchase, or exchange, in interstate or foreign commerce, any archaeological resource excavated, removed, sold, purchased, exchanged, transported, or received in violation of any provision, rule, regulation, ordinance, or permit in effect under State or local law.

The subject remains were held in the park's curatorial facility and organized by collection with the human remains housed together with the artifacts found with or near them. The association between remains and objects is understood by Native Americans and archeologists alike as an inalienable aspect of these types of collections. NAGPRA defines "associated funerary objects" as:



...objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, and both the human remains and associated funerary objects are presently in the possession or control of a Federal agency or museum, except that other items exclusively made for burial purposes or to contain human remains shall be considered as associated funerary objects. [25 USC 3001 Section 2 (3)(A)]

The removal of the human remains resulted in the disassociation of them from the artifacts, defined above as “associated funerary objects.” The removal of these remains is considered by most tribes to be disrespectful of the need to maintain the association of the dead and those items interred with them.

36CFR Part 79 is the Curation of Federally-Owned and Administered Archeological Collections in which federal agencies are mandated to establish and implement procedures by which their collections are managed. For the NPS, Director’s Order 24 governs the process through which museum property is managed. The removal of any museum property, including temporary or permanent changes in location, is governed by a strict process of accountability.

### **VALUE AND COST DETERMINATIONS**

The “Prohibited Acts and Criminal Penalties” section of ARPA (16 USC 470ee) identifies three monetary values that will be considered in relation to the penalty for the offense. These are the “commercial value” or the “archaeological value” of the archaeological resources involved in the violation and the “cost of restoration and repair” of these resources (16 USC 470ee(d)). Procedures for determining these figures are established in the ARPA Uniform Regulations (43 CFR 7.14).

To avoid confusion regarding the relationship of the Archeological Value and the Cost of Restoration and Repair it is necessary to understand that they are mutually exclusive calculations. The Archeological Value is the cost of what a scientific undertaking would be if the incident had not occurred. The Cost of Restoration and Repair includes all actual costs incurred by the government as well as projected future costs. At face value, many of the same line-item costs appear in both the Archeological Value and the Cost of Restoration and Repair. Because each value or cost is exclusive, these do not represent “double billing” since they are based on completely separate premises even though they include the same or similar components. Where an estimate is required, the use of actual figures derived from the Cost of Restoration and Repair supports the most reliable and fair estimate.

### **COMMERCIAL VALUE**

The ARPA Uniform Regulations define the term “commercial value” as follows:

... the commercial value of any archaeological resource involved in a violation ... shall be its fair market value. Where the violation has

resulted in damage to the archeological resource, the fair market value should be determined using the condition of the archaeological resource prior to the violation, to the extent that its prior condition can be ascertained (43 CFR 7.14(b)).

The Commercial Value is defined as the current fair market worth of the material remains illegally collected from the site. Trafficking in human remains is also illegal, precluding the determination of a “fair market value.” Therefore, the Commercial Value of the remains disturbed and damaged in this incident is determined to be **\$0**

## **ARCHAEOLOGICAL VALUE**

The ARPA Uniform Regulations define the term “archaeological value” as follows:

... the archaeological value of any resource involved in a violation ... shall be the value of the information associated with the archaeological resource. This value shall be appraised in terms of the costs of the retrieval of the scientific information which would have been obtainable prior to the violation. These costs may include, but need not be limited to, the cost of preparing a research design, conducting field work, carrying out laboratory analysis, and preparing reports as would be necessary to realize the information potential (43 CFR 7.14(a)).

The archaeological value associated with this case is based on the NAGPRA process established by law in 25 USC 3001 et seq. and applicable regulations [43 CFR 10]. The costs were determined using the Society for American Archaeology’s (SAA) Professional Standards for the Determination of Archaeological Value guidelines (McAllister 2006).

### **SAA Standard 1 - Identification of the Archeological Resources involved in the ARPA violation:**

The archeological resources were part of EFMO’s museum collections and consist of human remains over 100 years old, meeting the criterion of “archeological interest” by virtue of their context in prehistoric Native American burials within a designated National Register Historic District on lands owned in fee simple and managed by the National Park Service, United States Department of the Interior.

### **SAA Standard 2 – Scale of Scientific Information Retrieval to be Used in Determining Archeological Value:**

The “scale” referred to in this standard is also called “proportionality” insofar as the scale is determined by the amount of damage done as a consequence of the violation. In this instance, proportionality is measured by determining the steps and associated costs that would have been accrued if the NAGPRA process would have been implemented at the outset and the violation not occurred. The standard of scale or proportionality is a significant one since it serves as a measure of “fairness” in the calculation of costs and values, and insures that those costs and values are not inflated to the disadvantage of the accused.

### **SAA Standard 3 – Methods of Scientific Information Retrieval:**

Methods reflect a combination of scale and the techniques applied in a scientific investigation. In this case, the methods applied involve the comprehensive analysis and inventory of the entire population of human remains. The population (total number of subject human remains) will not be sampled, (that is, only a portion of the remains examined), nor will other remains not involved with this case be studied.

#### **SAA Standard 4 – Scientific Information Retrieval Standards:**

The scientific methods used in a NAGPRA inventory of human skeletal remains include an array of observations standard to physical anthropologists that record such things as minimum numbers of individuals, gender, age, pathologies, epigenetic characteristics, cultural modifications of remains, etc. These are analytical techniques applied to the reconstruction of human skeletal populations without which human remains cannot be attributed to any particular historical time period or to any particular ethnic population (as in the Cultural Affiliation Study cited above). In the context of a NAGPRA inventory, the application of research methods are subject to the consultation process with Native American tribes, giving them the opportunity to evaluate and concur with the methods proposed. In this regard, it is typically the case that destructive methods such as thin-sectioning, radiocarbon dating, protein analysis, and DNA analysis will not be permitted.

The archeological resources involved (human skeletal remains) were part of EFMO's museum collection and would have been subject to NAGPRA had they not been removed from the park in order to circumnavigate that law. Those remains represented a minimum of 41 individuals from 12 archeological sites containing graves within the park.

Damage is defined in terms of a) physical damage to the remains during their removal from park collections through mishandling and/or inappropriate packaging, and b) in terms of their being rendered unavailable for inventory and study per the requirements of NAGPRA. Had the incident not occurred, the remains themselves would not have undergone unnecessary damage and would have been included in the NAGPRA process whereby they could have been studied, identified as prehistoric Native American, and included in tribal consultations concerning cultural affiliation, repatriation, and reburial. Nor would the remains have been removed from their physical association with the associated funerary objects.

As described above, a Cultural Affiliation Study was initiated in 1999 and completed in 2001 under contract with the Office of the State Archaeologist and American Indian and Native Studies Program. An essential part of the NAGPRA process used to identify potential lineal descendants of the subject remains, part of this process included the analysis of human remains in EFMO collections which was used as the basis for comparison to other skeletal remains and burial practices regionally, and from which conclusions were drawn relative to the relationships among the archeological materials and living Native American groups. During this period the subject remains were not available to the researchers since their location was unknown at the time, and therefore, did not contribute to the outcome of the study. While it is not suggested that the absence of the subject remains materially affected the outcome of the study, the fact that they were not available, and may have had some impact on the results should be noted.

Projected cost estimates for Archeological Value are based on "proportionality" insofar as the scale is determined by the amount of damage done as a consequence of the violation. In this instance, proportionality was measured by determining the steps and

associated costs that would have been involved to have followed the NAGPRA process correctly from the outset for a total of 2,135 whole and fragmentary remains. The methods employed are those identified and defined in NAGPRA. It is necessary to identify the remains as Native American based on current archeological and physical anthropological techniques, including but not limited to archeological context, associated artifacts, epigenetic characteristics, and other physical evidence of cultural affiliation.

With regard to collections, 25 USC 3003-3005 (Sections 5-7) and 43 CFR 10 Subpart C (§10.8-10-13) require the following steps for investigation and documentation:

- Identification of human remains as Native American (see Henning 1997, Schermer 2012, and Green et al. 2001)
- Tribal consultation
- Summaries: general descriptions of unassociated funerary objects, sacred objects, objects of cultural patrimony
- Inventories: item-by-item descriptions of human remains and associated funerary objects

Other aspects of proportionality involve the estimate of time and expense involved in the tribal notification and consultation process. Effigy Mounds consults with twelve tribes, each potentially with a stake in the determination of cultural affiliation and subsequent repatriation and reburial. Estimates of time required for on-site meetings among the consulting tribes and NPS are given in dollars, including travel and lodging expenses paid for by the NPS. These figures are further based on actual consultation costs that took place and appear elsewhere in this document in the Cost of Restoration and Repair as expenses actually incurred by the government.

For the NPS, these steps are detailed in NPS Cultural Resource Management Guideline, Appendix R: Guidance for National Park Service Compliance with the Native American Graves Protection and Repatriation Act (NAGPRA), (see Appendix C in this document). Table 1 below lists these steps and provides an estimated cost for each.

**Table 1. Archeological Value costs.**

<b>TASK</b>	<b>COST</b>
Conduct Inventory (Evaluate object definitions and cultural relationships) contract	\$25,000
Cultural Affiliation Study	\$28,900
Consultation Meetings (3-4 days)	\$6,000
Meeting for repatriation/reburial (travel expenses) (3-4 days)	\$6,000
Administrative actions (compliance, meeting planning, correspondence, etc.)	\$55,000
<b>TOTAL</b>	<b>\$120,900</b>

The inventory cost is based on the single inventory done under contract with the Illinois State Museum by Dr. Dale Henning with increases reflected the now increased size of the collection and the inclusion of artifacts not considered in the Henning study. The Cultural Affiliation Study performed between 1999 and 2001 cost \$28,900. That figure remains unchanged as a component of Archeological Value. Other cost estimates are based on actual cost data from Effigy Mounds and represent the minimum tasks required to complete the NAGPRA requirements in a setting where the park's collections of human remains and funerary objects remained intact and accounted for. "Administrative actions" sum includes tasks and estimated cost from future actions in the Cost of Restoration and Repair.

The sum of the Archeological Value is \$120,900.

### ***COST OF RESTORATION AND REPAIR***

The ARPA Uniform Regulations define the term "cost of restoration and repair" as follows:

... the cost of restoration and repair of archaeological resources damaged as a result of a violation ... shall be the sum of the costs already incurred for emergency restoration or repair work, plus those costs projected to be necessary to complete restoration and repair, which may include, but need not be limited to the costs of the following:

- (1) Reconstruction of the archaeological resource;
- (2) Stabilization of the archaeological resource;
- (3) Ground contour reconstruction and surface stabilization;
- (4) Research necessary to carry out reconstruction or stabilization;

(5) Physical barriers or other protective devices, necessitated by the disturbance of the archaeological resource, to protect it from further disturbance;

(6) Examination and analysis of the archaeological resource including recording remaining archaeological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved;

(7) Reinterment of human remains in accordance with religious custom and State, local, or tribal law, where appropriate, as determined by the Federal land manager;

(8) Preparation of reports related to any of the above activities (43 CFR 7.14(c)(1)-(8)).

The archeological resources involved in this case are the NAGPRA museum collections at EFMO. Elements 1 through 5 above are not relevant to this case as they generally pertain to damages to archeological sites. As part of the emergency costs of restoration and repair, Element 6 is required to examine the collections to determine which items were or were not subject to NAGPRA, and to create a comprehensive inventory of NAGPRA items. Elements 7 and 8 will be considered as future costs of restoration and repair as they will not take place until after this case is closed.

The following section explains each line-item expressed in Table 2 and provides information on how each fits into the chronology of the case and what purpose was served as a legitimate cost to the National Park Service in the context of the Cost of Restoration and Repair as defined by ARPA. The costs described below have been separated into the categories of “inventories and studies” and “consultation meetings.”

### **Inventories and Studies**

Between September 16, 1997 and September 30, 1998 Dr. Dale Henning prepared NAGPRA recommendations for which he received \$6,000 under Purchase Order 1443PX6290-97-012. Between February 1998 and July 1998 Dr. Henning forwarded draft versions (a first draft and second draft) of both documents required by the Purchase Order, the first being “Recommendations to NAGPRA Summary and NAGPRA Inventory,” and the other being “Accession History and Status of 1986 and 1990 Deaccessioned Items and Objects.” One of the project’s assigned objectives was to review the 1990 removal of human remains from the collection, including documentation and a determination of potential disposition of the remains. On September 30, 1998 Dale Henning submitted (to Superintendent Miller) the final versions of the two documents required by Purchase Order.

The Cultural Affiliation Study was accomplished between 1999 and 2001(see above for purpose statements). Although there was mention in the report that certain items were “not available for study,” there was no discussion regarding any gaps in the catalog records or other indication that some remains were missing from any earlier inventories. Indeed, it was stated that the Cultural Affiliation Study heavily relied on the earlier

**Table 2. Examination and analysis of the archaeological resource (i.e., human remains subject to NAGPRA).**

EFMO	DATE	ACTIVITY	Total
Henning, Dale	9/16/97	Contract 1443PX6290	\$6,000
Iowa Office State Arch	1999-2001	Cultural Affiliation Study	\$28,900
Schermer, Shirley	6/10/11	Osteological services, Iowa OSA	\$550
Miller, Patricia	7/1/11	100% collections inventory, wages and travel	\$4,393
Veit, Stephen	7/1/11	100% collections inventory, wages and travel	\$1,249
(b) (6), (b) (7)(C)	7/1/11	100% collections inventory, wages	\$833
Pat (b) (6), (b) (7)(C)	7/1/11	Consultation Services, Museum Audit, Iowa Tribe	\$991
Miller, Patricia	10/16-18/12	100% collections inventory, wages and travel	\$1,642
Veit, Stephen	10/16-18/12	100% collections inventory, wages and travel	\$1,150
Reenie-Tucker, Keely	10/16-18/12	100% collections inventory, wages and travel	\$2,522
Richner, Jeff	12/30/11	Summary of Human Remains Tables	\$2,224
Schermer, Shirley	6/15/12	Osteological services, Iowa OSA	\$2,450
Schermer, Shirley	7/27/12	Osteological services, Iowa OSA	\$2,950
Schermer, Shirley	7/27/12	Osteological services, Iowa OSA	\$1,450
Schermer, Shirley	8/15/12	Osteological services, Iowa OSA	\$850
Palmer, Bob (EFMO)	9/ 4-7/2012	collections work with Reenie-Tucker, wages	\$1,221
Reenie-Tucker, Keely	9/ 4-7/2012	collections work, wages	\$1,447
Nepstad, James	2/19/13	inclusive of all activities since April 2011	\$36,474
Clark, Caven	4/19/13	preparation of Damage Assessment	\$2,282
		<b>SUBTOTAL</b>	<b>\$99,578</b>
<b>MEETINGS</b>			
EFMO costs	6/11/11	EFMO Consultation & Review Board Meeting (3 days)	\$5,913
EFMO costs	12/11/11	EFMO Consultation & Review Board Meeting (2 days)	\$2,505
Richner, Jeff	12/11/11	EFMO Consultation & Review Board Meeting, wages & travel	\$2,216
EFMO costs	6/12/12	EFMO Consultation & Review Board Meeting (2 days)	\$2,593
		<b>SUBTOTAL</b>	<b>\$13,227</b>
<b>PROJECTED R&amp;R COSTS</b>			
	future	Inventory of funerary objects	\$25,000
	future	repatriation and reburial consultation meetings	\$7,500
	future	EFMO direct expenses (compliance, etc.)	\$30,000
		<b>SUBTOTAL</b>	<b>\$62,500</b>
		<b>GRAND TOTAL</b>	<b>\$175,305</b>

inventory work by Henning as the basis of its inventory (Green et al 2001:8). The total cost to the NPS for this study was \$28,900.

Another round of inventory work was done by Shirley Schermer of the Iowa Office of the State Archaeologist documented with an invoice dated June 10, 2011. The purpose of this effort was collection inventory of returned/missing remains for which she was paid a total of \$550.

Using curatorial records, MWAC Supervisory Archeologist Jeffrey Richner produced an inventory of human remains for use by the Review Board in December 2011 to facilitate the investigation. He spent "conservatively" 40 hours preparing this inventory resulting in a total cost of \$2,224.

NPS Curators Tricia Miller and Steve Veit helped with the 100% inventory performed on the collection, July 11-18, 2011 in order to verify beyond doubt that all of the human remains had not been fully accounted for after Munson handed over the first box in April 2011. Administrative Technician (Museum Tech) (b) (6), (b) (7)(C) assisted Miller and Veit. They were also assisted by (b) (6), (b) (7)(C) of the Iowa Tribe in Kansas and Nebraska who received \$991 for his services. The combined cost associated with these inventories is \$7,466.

Between September 4 and 7, 2012, acting MWR Curator Keely Rennie-Tucker and EFMO Law Enforcement Ranger Robert Palmer conducted the annual collections inventory during which time Reenie-Tucker noticed additional problems related to the subject remains. For this inventory, Palmer was not acting in a law enforcement capacity. This effort cost the park a total of \$2,668.

Rennie-Tucker, Miller, and Veit returned to EFMO again in October 2012 to delve further in the park's curatorial records at the direction of Rennie-Tucker as a follow-up to her discoveries the previous month. The combined cost of wages and travel cost a total of \$5,314.

Overlapping in time with the above in-park inventories, three subsequent inventories were completed by Shirley Schermer of the Iowa Office of the State Archeologist documented by invoices dated June 15, 2012 (\$2,450), July 27, 2012 (two separate invoices; \$2,950 and \$1,450), and a final invoice dated August 15, 2012 (\$850). The sum of the 2012 invoices for inventory services from the Iowa Office of the State Archeologist is \$7,700.

### **Consultation and Review Board Meetings**

A series of meetings was held regarding the human remains. Consultation meetings were held with tribal representatives for the purpose of full disclosure regarding the incident. Review board meetings focused on the determination of the steps necessary to proceed with an investigation.

Consultation meetings were held at EFMO over a three-day period, June 28-30, 2011 involving park staff, tribal members, and representatives from the Midwest Regional Office. Direct costs to the park in support of tribal travel costs were \$5,913.

A review board meeting was held at EFMO over a two-day period, December 6-7, 2011 involving park staff, tribal members, and representatives from the Midwest Regional Office. In addition to EFMO staff, this meeting was attended by Supervisory Archeologist



Jeffrey Richner from the Midwest Archeological Center. Direct costs to the park in support of tribal and NPS travel costs were \$4,721.

Further consultation and review board meetings were held at EFMO in June of 2012. The consultation meeting was held all day on June 13 and the morning of the following day, involving park staff, tribal members, and representatives from the Midwest Regional Office. Direct costs to the park in support of tribal travel costs were \$2,505. The review board convened in the afternoon of June 14, 2012. The sum cost to the government for this meeting was \$2,593.

Actual costs incurred also include the administrative costs directly involved with the incident, including the Superintendent's time and that of the Archeologist preparing this Damage Assessment Report. As of March 2013 EFMO Superintendent James Nepstad indicated that a conservative estimate of his time/cost related to this case was \$36,474. The preparation of this Damage Assessment document by the author yielded a sum of \$2,282.

The sum of all actual costs incurred, including inventories and meetings, is \$112,805.

### **Projected Cost of Restoration and Repair**

In addition to actual costs already incurred by the government in this case, future costs are also allowable components of the Cost of Restoration and Repair. These costs relate specifically to:

- (6) Examination and analysis of the archaeological resource including recording remaining archaeological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved;
- (7) Reinterment of human remains in accordance with religious custom and State, local, or tribal law, where appropriate, as determined by the Federal land manager;
- (8) Preparation of reports related to any of the above activities (43 CFR 7.14(c)(1)-(8)).

As this relates to the EFMO case, there are several tasks remaining that are required by NAGPRA to bring the process to a conclusion. These include further tribal consultation, a study of the associated funerary items that provides an inventory, scientific assessment, physical reassociation of those items with the human remains, and their ultimate disposition.

The preparation of a report that addresses the final inventory of both human remains and associated and unassociated funerary objects, and provides an administrative summary of this case is estimated to cost \$25,000. This product is essential for the final steps in consultation and repatriation and/or reburial. While this was initiated by the NPS in 1998 with Dr. Henning, given the history of the collections management and this investigation, it is necessary to begin this process again using the updated and corrected records now available.

Costs will include park support for tribal consultation and staff salaries. A minimum of three on-site consultation meetings will be required to discuss repatriation and reburial issues with a sum of \$7,500 in direct costs to the government.

If the decision by the tribes results in reburial within the park, costs for compliance (National Environmental Policy Act and National Historic Preservation Act), including an environmental assessment (EA) will accrue as well. An estimate of \$30,000 based on the costs of contracted EAs at other Midwest Region sites is expected to cover these costs.

The sum of estimated costs associated with future actions allowable under the Cost of Restoration and Repair is \$62,500. It should be emphasized that this estimate is considered very conservative as it covers only a minimum requirement to fulfill the park's obligations under NAGPRA. Such line-items as physical security of the reburial site could potentially add thousands of dollars not accounted for in this estimate. Similarly, there could be a need of more than two on-site consultation meetings which would increase the costs under that category.

The combined costs of actual costs and projected costs of Restoration and Repair yield a total of \$175,305.

**SUMMARY AND CONCLUSION**

It is concluded that there was archaeological resource damage to the NAGPRA subject collections at EFMO. The damage consisted of the unauthorized removal of Native American human remains from the EFMO curatorial facility and subsequent transportation of these remains out of the park in Iowa to a location in Wisconsin. The damage was documented and assessed, and this report of findings was prepared. The nature of the incident allowed for the determination of all three values described under 43 CFR PART 7.14: the cost of restoration and repair, the commercial value, and archaeological value.

As per the prohibited acts and criminal penalties section of ARPA (16 USC 470ee), the cost of restoration and repair can be combined with either the archaeological or commercial values involved in the violation to comprise the total value of the archaeological resource damage:

Archaeological Value	\$120,900
Cost of Restoration and Repair	\$175,305
<b>Total</b>	<b>\$296,205</b>

**OR**

Commercial Value	\$0
Cost of Restoration and Repair	\$175,305
<b>Total</b>	<b>\$175,305</b>

## Appendix A

### Inventory of Remains

This appendix is the complete summary of human remains which contrasts the findings of the 2011 collection inventory with that of the 2012 inventory which includes the returned remains.

The accession number is the primary number by which museum collections are organized in the cataloging system used by the National Park Service. This is followed by the site number and name. The site number is expressed as a trinomial in which, for example, 13AM82 refers to Wisconsin (13<sup>th</sup> state alphabetically before Alaska and Hawaii attained statehood), AM is the abbreviation for Allamakee County, and 82 is the consecutive number assigned for this particular site. The site name is generally a descriptive title assigned by the first archeologist to record the site. MNI is the Minimum Number of Individuals as determined by the analysis of the remains.

This inventory was prepared by Shirley Schermer, Burials Program Director of the Iowa Office of the State Archeologist.

### Summary

#### Accession 1, 13AM82, Mound 55: MNI = 3

In 2011: "Not present"

In 2012: All accounted for except 1 cranial fragment, 1 premolar, and 4 tiny tooth fragments that are considered "potentially present"

#### Accession 5, 13CT18, Mound 7, Sny Magill: MNI = 1

In 2011: All "present"

#### Accession 8, 13CT231, Highway 76 Rockshelter: MNI = 14

In 2011: approximately half of the collection "present"

In 2012: 3 fragments listed as "potentially present" and 14 catalog numbers as "not present." All but five of the 2011 "not present" catalog numbers were present in the 2012 material. Also, nine catalog numbers listed on the 1990 deaccession list, but not listed on the 1986 loan form, may be considered "not present."

In August 2012 re-examination of the 2011 remains, the nine missing catalog numbers were not found. It is probable each catalog number would represent a single fragment, element, or tooth.

#### Accession 16, 13AM190, Mound 36 or 37: MNI = 3

In 2011: all the remains represented by the catalog numbers on the 1986 loan form were "present" but catalog numbers on the 1990 deaccession list but not on the 1986 loan form were "not present."

In 2012: the catalog numbers on the 1990 deaccession list but not on the 1986 loan form are "present."

#### Accession 53, 13AM207, Mound 18: MNI = 3

In 2011: all but 6 fragments "present"

In 2012: 1 of the 6 "present"; 2 of the 6 "potentially present"; and 3 of the 6 still considered "not present"

In 8 14 12 re-examination of 2011 remains, a burned mandible fragment with genial tubercles that had been listed as “Not Present” was found, reducing the number of “Not Present” to 2.

Accession 78, 13AM101, Mound 12: MNI = 4

In 2011: all but 7 fragments “present”

In 2012: 4 fragments considered “potentially present” and 3 fragments still considered “not present”

In 8 14 12 re-examination of 2011 remains, a partially burned humerus shaft fragment was found, added to the “Present 2011” column and deleted from the ‘Potentially Present 2012” column. The femoral proximal end fragment was moved from the “Not Present 2012” column to the “Potentially Present” column.

Accession 106, 13AM190, Mound 33: MNI = 5

In 2011: “not present”

In 2012: All appear to be accounted for except for one cervical vertebra which is listed below as “potentially present.”

Accession 107, 13AM190, Mound 39: MNI = 1

In 2011: “present”

Accession 109, 13AM190, Mound 38: MNI = 5

In 2011: “not present”

In 2012: all “present” except for 135 probably very small fragments considered as “potentially present”

Accession 111, 13AM190, Mound 41: MNI = 1

In 2011: “present”

CT26 material: MNI = 1

In 2011: Facial portion of cranium present

In 2012: Additional cranial fragments labeled “CT26” found in 2012; had been included with Accession 8 material, discussion, and inventory in 1986/87. Differences in coloration of some of the additional cranial material, but several differing colored fragments do fit together.

**New: Accession 54: MNI = 1**

Found during 8 14 12 re-examination visit to EFMO while looking for possible additional Accession 8 remains—the proximal third of a 5<sup>th</sup> metatarsal, possibly left. Removed from EFMO collection drawer and moved to the EFMO repository NAGPRA storage case.

## Appendix B

### Summary of Collections Management Activities Relative to NAGPRA Subject Remains and Objects: August 1986 – April 1994

A timeline summary was constructed by EFMO Superintendent James Nepstad, providing the highlights of collections management from the early period of the park to the present, including the period concerned in this incident.

From the 1950s through the 1970s EFMO archeologists and researchers collected human remains excavated from archeological sites, including burial mounds, within the park. In keeping with the traditions of the day, all artifacts and human remains were kept in the park's museum collection. Also during this time, the park accepted archeological materials, including human remains, from archeological sites located in the surrounding region outside the park. The latter practice, while common in the past, is now precluded in the Scope of Collections Statement which determines the types of objects allowable in a park's collections.

- EFMO Scope of Collections Statement is approved by the Regional Director December 9, 1985. This document contains the scope of collections checklist used by the regional office to evaluate new statements, and the comments (presumably from the regional office) attached to this checklist include the following two statements:

- "It is suggested that the Statement include requirements for the eventual deaccessioning of those objects that are replaced by ones of better quality." This is followed with a hand-written notation that says "Historical only – or natural – not archeological"
- "...your statement cannot indicate that archeological materials will be deaccessioned." This statement was underlined by hand.

August 8, 1986

Maria Pearson of the Iowa Indian Advisory Committee writes to Superintendent Tom Munson informing him she has learned that human remains are in the EFMO collection and advises him that they should be reburied, preferably in the mounds they came from.

August 12, 1986

Superintendent Tom Munson responds to Maria Pearson's August 8, 1986 letter, telling her it appears he'll be able to work with her to comply with her request and recommendations. He informs her of a meeting he has planned with MWAC (Mark Lynott) and OSA staff (Duane Anderson), and promises to keep her updated.

September 5, 1986

Superintendent Munson again responds to Maria Pearson's August 8, 1986 letter. Munson informs Pearson that after conferring with the State Archaeologist, the park is prepared to transfer all human remains to the Office of the State Archaeologist for examination and confirmation that they are human in origin. He also informs Pearson that all human remains originating outside the park will be "returned to the Native American community for reburial." He ends by saying the material from inside the park will be returned to the park, and "...we will work with you then toward locating its ultimate repository."

September 24, 1986

The staff meeting notes for October 6, 1986 indicate that on September 24, Shirley Schermer from the Office of the State Archeologist "...picked up the human remains material collected inside and outside of the monument for study." The notes also mention that the material collected from inside the monument will be returned in April or May, and the material from outside the park will be re-interred with assistance from the Iowa Indian Advisory Committee.

October 7, 1986

Park staff issue a loan form for the human remains that Schermer picked up in late September. Schermer acknowledges receipt with a signature dated November 13, 1986.

April 7, 1987

MWAC Director Cal Calabrese accepts the Schermer and Fisher report on the human remains from the EFMO collection, and informs Schermer that payment will be made as soon as she "...returns the specified collections to Effigy Mounds National Monument."

May 1, 1987

Staff meeting notes for the meeting of May 12, 1987 indicate that the park has received all of the human remains sent to the Office of the State Archaeologist [in all likelihood, just those collected inside the park – the rest were reinterred by the state], with the exception of 8 cranial fragments that Schermer wanted to study further. Another loan form was filled out by park staff, signed by both Munson and Schermer on May 1, 1987, extending the loan of those 8 fragments until September 1, 1987. In November 1989, this loan was further extended to February 28, 1990. The 8 fragments were returned to the park by Schermer on February 28, 1990.

February 21, 1989

Superintendent Munson saves a couple of magazine articles to park files. One is a Harpers article titled "Skeletons in Our Museum's Closets" and the other is an article from The Nation titled "Indians Gaining on the U.S. in Battle Over Ancestral Bones."

April 27, 1989

Superintendent Munson receives a memo from the WASO Curatorial Services Division containing a report from a curatorial workshop participant, Anne Jordan, who had been assigned to write about issues involving EFMO's "sensitive Native American materials." Although this report states that no decisions have been made, it is clear that at this time the current thinking in the park is to rebury the remains collected inside the park (Jordan refers to 4 cabinet drawers full of remains) in a manner that would allow them to be re-exhumed if there was a need for further study. The report also outlines the legislation (Antiquities Act and ARPA) mandating that these materials be held by a public institution.

July 13, 1990

Superintendent Tom Munson moves out of park housing by this date and signs a vacancy inspection form. Staff meeting minutes indicate that the McIlrath's moved into his former housing unit (Quarters #2) on July 29, 1990, and housing inspection forms verify this.

July 16, 1990

Superintendent Tom Munson signs a Report of Survey form. In the Board of Survey findings section, it is stated “Miscellaneous material that does not fit the Scope of Collection Statement for artifact/museum storage at Effigy Mounds NM. Deaccession from collection.” Attached is a listing of all the catalog numbers for the human remains collection inside the park. In the Accountable Officer Recommended disposition section, the box for “Abandon” is clearly marked. There is a handwritten notation at the top of the original form that says “Keep SG 11-17-97” The 11-17-1997 date is extremely significant in that it is the date Dale Henning visited the park to research the “Accession History and Status...” report that exhaustively detailed the search for these remains (see the title page of his report). The Report of Survey is NOT in his paper, and as absolutely critical as this document is to what he was researching, it is very difficult to explain why he didn’t include it or discuss it – unless he never saw it. Also, the date on the attached deaccessioned catalog number list (7/16/90) is different than the date that appears on all other versions of this list that I have seen (7/30/90 – see copy in Henning’s report for an example).

November 7, 1990

Superintendent Tom Munson approved the annual museum inventory for the park. The inventory – a random sample inventory – contained several items, including human remains, that had been listed in the Report of Survey above. All of these items are listed as “object not found,” and there is a notation in the remarks field for all of them that says “Deaccessioned 30 July 1990.” This appears to become standard practice for inventories in subsequent years.

March 21, 1991

The FY1990 Collections Management Report was approved by Superintendent Tom Munson. Objects cataloged under archeology = 8175 (compared to 8503 reported in FY1989 report). Objects deaccessioned reported as 0. None of the Collections Management Reports for 1985 through 1991 report any deaccessions. So it appears the park did not directly notify MWR about the removal of the human remains from the collection or the park – although they did indirectly via the annual museum inventories (see November 7, 1990 entry).

April 6, 1992

Someone attaches a hand-written note to a draft Museum Collections Plan (drafted by a contractor in October 1987) stating that as of April 6, 1992, the park is operating under that draft plan. Pages 17-19 of the document contain multiple references to a plan to photograph and inventory the human remains in the collection, and then rebury them in a recorded location. The human remains are also identified as not falling “...within the Scope of Collection as approved in 1985, or the proposed changes in this document.” Instructions for deaccessioning items are included on page 24. Page 28 contains yet another reference to the plan to rebury the human remains, and states that they should be catalogued if that plan changes.

March 9, 1993

The regional director approves the park’s updated Scope of Collections Statement, signed by Superintendent Munson on January 3, 1992. This version contains no obvious references to human remains in the collection. Page 4 contains this statement: “All archeological materials removed from within park boundaries through systemic investigation are NPS property and must be retained in the park’s museum collection per 43 CFR Part 7 and NPS-28.”



January 3, 1994

A phone message slip written by Friday Wiles and addressed to "(b) (6), (b) (7)(C) /Tom M" documents a call received from Anna Funmaker of the Wisconsin Winnebago tribe. The message states "Would like to know what's in our collection (list of items). May come down & see – will call before she does. Asked about bones. Explained there were none in collection."

February 17, 1994

(b) (6), (b) (7)(C) formally documented a phone call from Anna Funmaker in the Ho-Chunk Historic Preservation Office. Apparently Ms. Funmaker "...indicated that they [the Ho-Chunk] are interested in the land and mounds themselves rather than the artifacts."

February 18, 1994

Tom Thiessen from MWAC wrote to Superintendent Munson – apparently in reply to an inquiry from Munson about the previous day's phone conversation (see February 17entry above). Thiessen ends the memo with "Keep in mind that NAGPRA makes no mention of the repatriation of land."

March 9, 1994

Tom Thiessen from MWAC wrote a memo to Superintendent Munson outlining Indian Claims Commission decisions showing the Winnebago had no claim to land in the area. Towards the end he states "My reading of NAGPRA does not suggest to me that land is repatriable under the terms of the Act..."

April 4, 1994

The park receives the official memo from the Regional Director calling for the inventory of human remains and associated funerary objects in all Midwest Region parks.

## Appendix C

### **EXCERPT FROM: Guidance for National Park Service Compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) NPS Cultural Resource Guideline, Appendix R**

[This excerpt is included to provide the basis for determining both the Archeological Value and a portion of the Cost of Restoration and Repair.]

#### **c. Collections**

The regulations also require Federal agencies and museums to inform Indian tribes and Native Hawaiian organizations of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in their collections prior to November 16, 1990 [43 CFR Subpart C]. This information was made available in summaries and inventories.

Superintendents should periodically review their Park NAGPRA inventory and summary to make sure they are accurate and updated to reflect new information that may have changed identification of items as covered by NAGPRA, new information that may have changed determinations of cultural affiliation, new acquisitions, or newly recognized Indian tribes. A NAGPRA module in the NPS collections management database system, ANCS+, is available to facilitate the update process.

When new information is received that may affect cultural affiliation determinations, modifications to the original summaries or inventories may be necessary. When items are found that were not on the original summaries or inventories, the process of consultation, evaluation, and notification – as outlined in Figures 4 and 5 – will again take place.

#### Summaries

Summaries are written descriptions of collections that may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony [43 CFR 10.8]. Summary information for all park units was distributed to nearly 800 Indian tribes, Native Hawaiian organizations, and non-federally recognized Indian groups in November 1993. This served as a simple notification to each Indian tribe and Native Hawaiian organization of the nature of the collections held by NPS. The summary was an initial step to bring Indian tribes and Native Hawaiian organizations into consultation with NPS. Consultation between NPS and an Indian tribe or Native Hawaiian organization was required no later than the completion of the summary process.

If a claim is made for unassociated funerary objects, sacred objects, or objects of cultural patrimony, the superintendent must determine that the object claimed fits the definition of the specified NAGPRA category. Identification of specific unassociated funerary objects, sacred objects, or objects of cultural patrimony must be done in consultation with Indian tribe representatives and traditional religious leaders who may have special knowledge regarding these categories of objects. Superintendents also must ensure that claimants meet the definition either of lineal descendants or culturally affiliated Indian tribes.

### *Inventories*

Inventories are item-by-item descriptions of Native American human remains and associated funerary objects. Unlike the summaries, inventories must have been completed in consultation with Indian tribes and Native Hawaiian organizations and represent a decision by the superintendent as to the cultural affiliation of particular Native American human remains or associated funerary objects [43 CFR 10.9].

### Notification

Before the repatriation of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in NPS collections, a notice must be published in the *Federal Register* [43 CFR 10.8(f) and 10.9(e)]. Notification provides information to potentially affected parties of a pending agency action, providing them with an opportunity to respond. Notification is not a primary means of communication with potential claimants but is a last chance for claimants that may have been overlooked to voice their concerns.

### *Notice of Inventory Completion*

A Notice of Inventory Completion summarizes the contents of an inventory of Native American human remains and associated funerary objects and their geographical and cultural affiliation in sufficient detail to enable other individuals, Indian tribes, and Native Hawaiian organizations to determine their interest in claiming the inventoried items. The notice is published in the *Federal Register* when a park has made a determination of cultural affiliation or lineal descent for Native American human remains and associated funerary objects in its possession or control. Repatriation may not occur until at least 30 days after publication in the *Federal Register*. See Figure 4 for a model of the notice development process.

The Notice of Inventory Completion should minimally include the following information –

- names of all participating Indian tribes, specifically noting any agreements among groups regarding which group will lead in a repatriation, which groups have withdrawn from a repatriation, and any other pertinent information;
- name of site, county, State from which the cultural items originated;
- minimum number of individuals represented by the Native American human remains;
- number and types of associated funerary objects;
- the circumstances surrounding the removal and all subsequent transfers until the remains and other cultural items came into the park's possession;
- dates and additional information about the Native American human remains, or any known earlier group/phase and how/why these individuals have been determined to be Native American;
- evidence for present-day cultural affiliation with the earlier identifiable group, for example, any historical records, continuity of occupation, continuity of ethnographic materials;
- tribal evidence of cultural affiliation, for example, oral history, manner of interment, known/named village/camp, etc.

### *Notice of Intent to Repatriate*

A Notice of Intent to Repatriate is published when a park receives, reviews, and accepts a claim by a tribe for sacred objects, unassociated funerary objects, or objects of cultural patrimony. The notice describes unassociated funerary objects, sacred objects, or

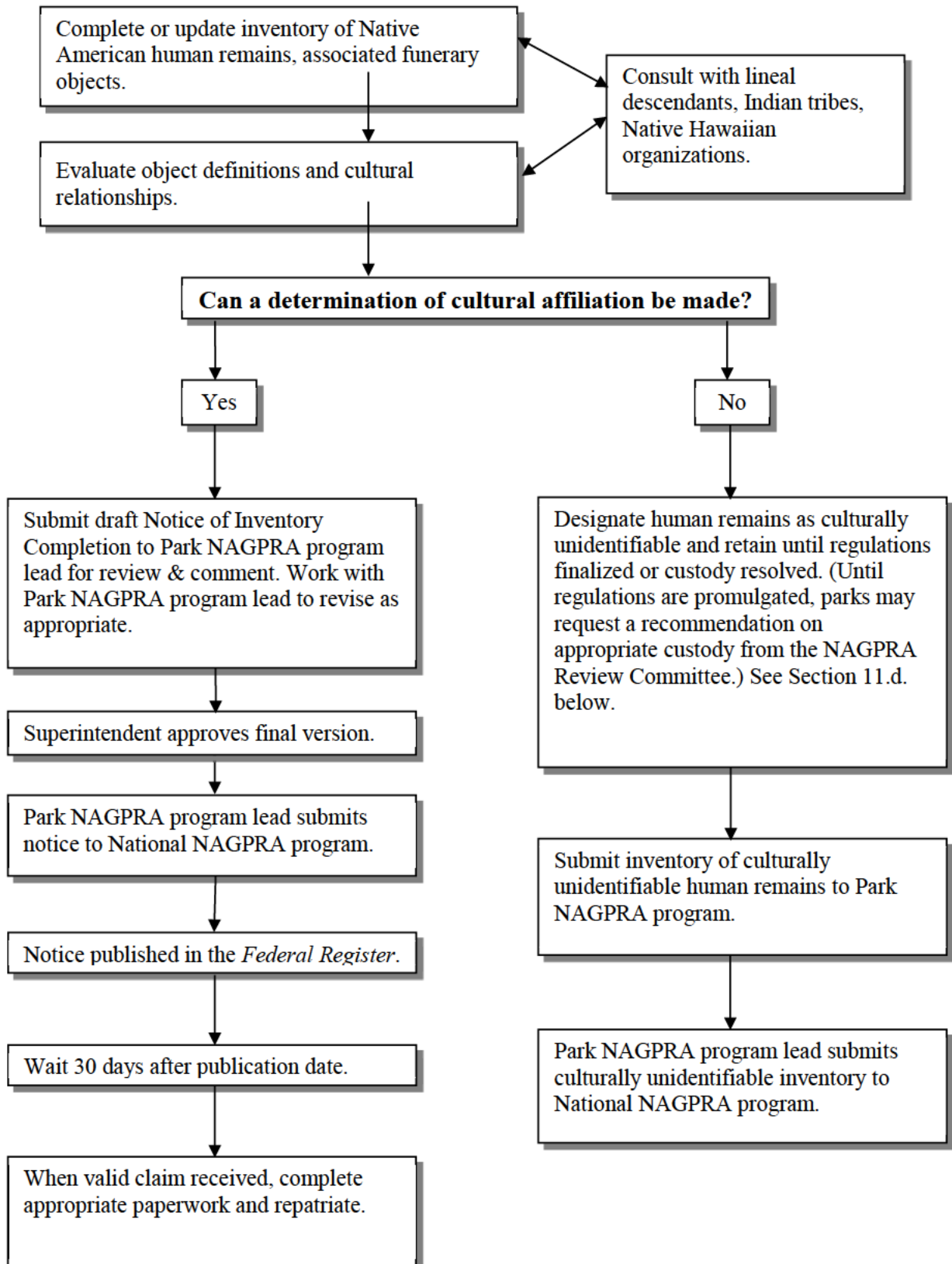
objects of cultural patrimony being claimed in sufficient detail to enable other individuals, Indian tribes, and Native Hawaiian organizations to determine their interest in the claimed objects. Repatriation may not occur until at least 30 days after publication in the *Federal Register*. See Figure 5 for a model of the notice development process.

The Notice of Intent to Repatriate should minimally include the following information –

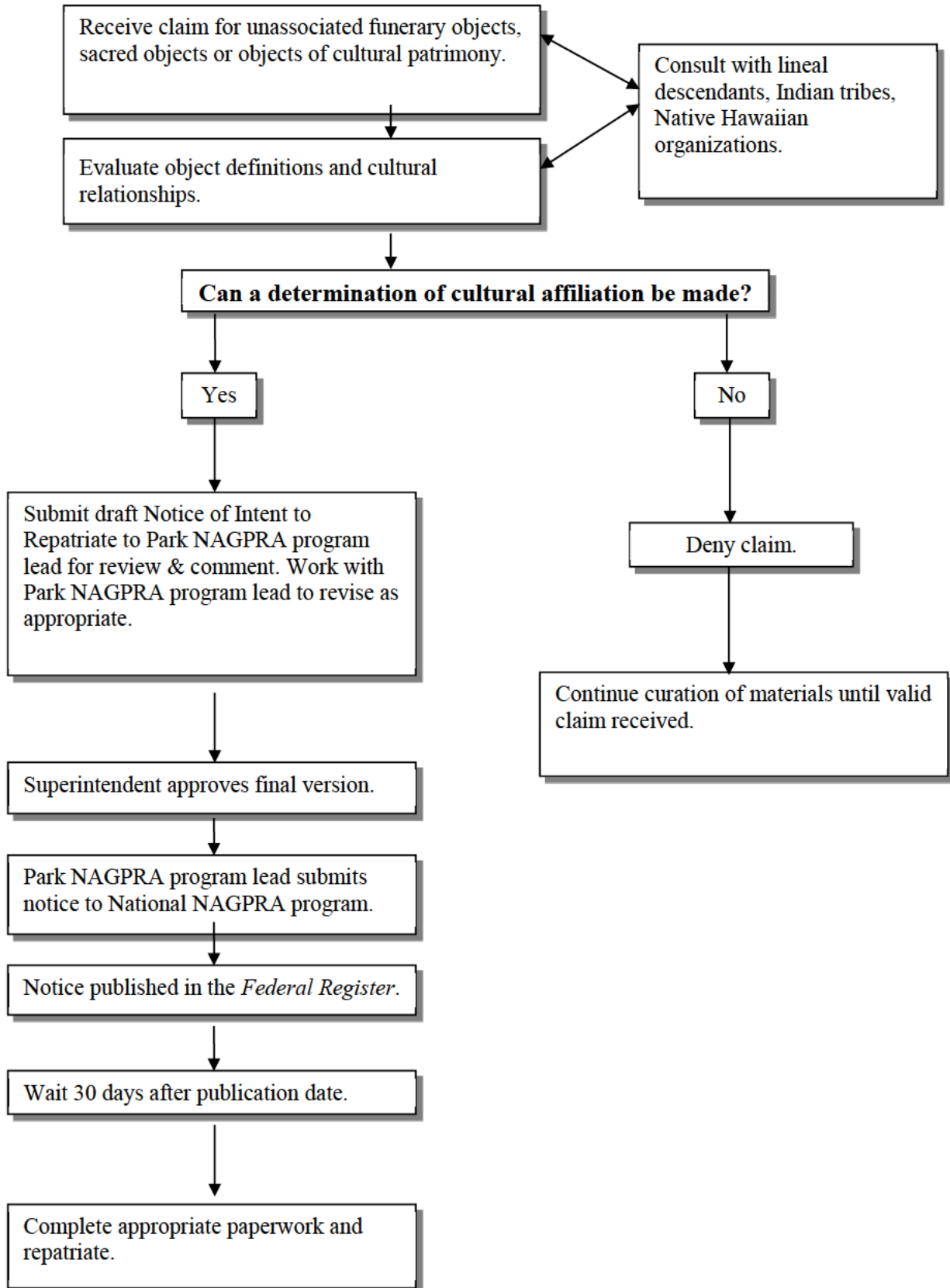
- a brief description (including number) of the object(s)
- the dates and circumstances of acquisition
- the evidence for cultural affiliation
- evidence from consultation with the tribe supporting the definition of these cultural items as unassociated funerary objects, sacred objects, or objects of cultural patrimony as defined under NAGPRA

**NOTE:** The Notice of Inventory Completion and the Notice of Intent to Repatriate are distinct and unrelated. Notices of Inventory Completion include only Native American human remains and associated funerary objects and must be published whether or not a claim has been received. Notices of Intent to Repatriate include only unassociated funerary objects, sacred objects, or objects of cultural patrimony and are published after a claim has been received, evaluated, and accepted. A Notice of Intent to Repatriate is not intended as notification of the repatriation of Native American human remains and/or associated funerary objects that may occur after the publication of a Notice of Inventory Completion. Both types of notices must be developed in cooperation with the Park NAGPRA program lead.

**Figure 4. Notice of Inventory Completion Development Process Model**



**Figure 5. Notice of Intent to Repatriate Development Process**





United States Department of the Interior  
National Park Service  
Investigative Services Branch



CONSENT TO SEARCH

LOCATION: Munson residence garage.

DATE: 05/15/12

I, (b) (6), (b) (7)(C) do hereby authorize law enforcement officers of the United States Department of the Interior, National Park Service to conduct a search of the above stated place.

These officers are authorized by me to take from the above listed location any items they feel pertain to the matter they are investigating.

This written permission is being given by me voluntarily without threats or promises of any kind.

(b) (6), (b) (7)(C)  
Signature

5/17/2012 5:17 p.m.  
Date Time

[Signature]  
Witness

↔ David Barland-Liles #111  
Signature

Tom Munson.  
Witness

Thomas A. Munson  
Signature







**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



<b>Case Title: Effigy Mounds National Monument</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
	<b>Park Case Number:</b>		
<b>Location: Munson Residence – Prairie du Chien Wisconsin</b>	<b>Case Status: Open</b>	<b>Date Opened:</b> 12/27/2011	<b>Date Closed:</b>

**CASE EVIDENCE INVENTORY**

--	--	--	--	--

**2012 EFMO examination—"Potentially Present" and "Not Present"**

**Acc. 1**

*"Potentially Present":*

- 1 cranial fragment
- 1 premolar
- 4 tiny tooth fragments

**Acc. 8**

*"Potentially Present":*

- 1 vertebral arch, cervical (3-4 yrs)
- 1 vertebra, cervical, infant

*"Not Present":*

- 1 femur, incomplete, late fetal or early newborn  
[plus five catalog numbers listed on the 1986 loan form and 7 catalog numbers on the 1990 deaccession list are not accounted for]

**Acc. 53**

*"Potentially Present":*

- 2 femur proximal epiphyseal fragments, unburned

*"Not Present":*

- 1 mandible fragment, burned set of genial tubercles
- 1 mandible fragment, burned right gonial angle
- 1 femur proximal epiphyseal fragment, unburned

**Acc. 78**

*"Potentially Present":*

- 1 humerus shaft fragment, partially burned
- 1 fragment clavicle, burned
- 1 vertebral body fragment, burned
- 1 fragment ilium, border, burned

*"Not Present":*

- 1 frontal fragment, lateral portion of left orbit and zygomatic process, unburned
- 1 fragment proximal end femur, right, larger of two sizes of subadult bone, burned
- 1 patella, incomplete, burned

**Acc. 106**

*"Potentially Present":*

- 1 cervical vertebra

**Acc. 109**

*"Potentially Present":*

- 3 temporal fragments
- 1 innominate bone fragment with unfused ilio-ischio-public junction
- 16 innominate fragments
- 13 rib fragments
- 98 scapula fragments [if many of these were body fragments, many could be accounted for in the small miscellaneous fragments]
- 2 humerus diaphyseal fragments
- 1 humerus distal end fragments
- 1 humerus distal epiphysis, unfused

## Summary

### CT26 material

In 2011: Facial portion of cranium present

In 2012: Additional cranial fragments labeled "CT26" found in 2012; had been included with Accession 8 material, discussion, and inventory in 1986/87. Differences in coloration of some of the additional cranial material, may need to change MNI from "1" to "2."

### Accession 1, 13AM82, Mound 55

In 2011: "Not present"

In 2012: All accounted for except 1 cranial fragment, 1 premolar, and 4 tiny tooth fragments that are considered "potentially present"

### Accession 5, 13CT18, Mound 7, Sny Magill

In 2011: All "present"

### Accession 8, 13CT231, Highway 76 Rockshelter

In 2011: approximately half of the collection "present"

In 2012: 2 fragments listed as "potentially present" and one as "not present." In addition, all but five of the 2011 "not present" catalog numbers were present in the 2012 material. Also, nine catalog numbers listed on the 1990 deaccession list, but not listed on the 1986 loan form, may be considered "not present."

### Accession 16, 13AM190, Mound 36 or 37

In 2011: all the remains represented by the catalog numbers on the 1986 loan form were "present" but catalog numbers on the 1990 deaccession list but not on the 1986 loan form were "not present."

In 2012: the catalog numbers on the 1990 deaccession list but not on the 1986 loan form are "present."

### Accession 53, 13AM207, Mound 18

In 2011: all but 6 fragments "present"

In 2012: 1 of the 6 "present"; 2 of the 6 "potentially present"; and 3 of the 6 still considered "not present"

### Accession 78, 13AM101, Mound 12

In 2011: all but 7 fragments "present"

In 2012: 4 fragments considered "potentially present" and 3 fragments still considered "not present"

### Accession 106, 13AM190, Mound 33

In 2011: "not present"

In 2012: All appear to be accounted for except for one cervical vertebra which is listed below as "potentially present."

<b>Accession</b>	<b>1987 count</b>	<b>Present 2011</b>	<b>Present 2012</b>	<b>Potentially Present 2012</b>	<b>Not Present 2012</b>
1	296	0	290	6	0
5	36	36	0	0	0
8	316	211	102	2	1
16	19	19	0	0	0
53	184	180	1	2	3
78	290	285	0	4	3
106	300	0	299	1	0
107	23	23	0	0	0
109	799	0	664	135	0
111	4	4	0	0	0
13CT26		1	18	0	0
<b>Totals</b>	<b>2267</b>	<b>759</b>	<b>1374</b>	<b>150</b>	<b>7</b>

**ACCESSION HISTORY and STATUS  
of  
ACCESSIONED MATERIALS  
and  
1986 & 1990 DEACCESSIONED ITEMS AND OBJECTS**

Prepared for:  
Department of the Interior  
National Park Service  
Purchase Order No. 1443-PX6290-97-012

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by  
Dale R. Henning

Illinois State Museum Society  
Archaeological Services Program  
Dale R. Henning, Director

Illinois State Museum  
Quaternary Studies Program  
Technical Report 97-1165-33

Report Submitted: September, 1998

## ACKNOWLEDGEMENTS

The research reported on in the following short report is the result of a long and arduous undertaking. Much of the heavy going has been made significantly lighter by Effigy Mounds National Monument Superintendent Kathleen Miller and her staff. I have consistently been given the assistance requested and have been offered understanding and sympathy when frustrated by data inconsistencies and informational dead ends. Careful and thoughtful review of the manuscripts submitted have been provided by Thomas D. Thiessen, Park Archeology Program Manager and Michelle Watson, Cultural Anthropologist, Cultural Resources Division, Midwest Support Office. Their comments are deeply appreciated; they made notable contributions to the final products. One extension in time was generously given; that time has been used to significantly alter a number of misconceptions and to improve the general quality of the report. Some misconceptions, errors and omissions undoubtedly remain that deeper and more intensive investigations could have avoided; for these I assume full responsibility.

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## INTRODUCTION

Human skeletal remains from accessions in the museum collection at Effigy Mounds National Monument were deaccessioned in 1986 and 1990. This report summarizes the accession history and offers an assessment of the status of the deaccessioned items. Those items all consist of human remains and are subject to NAGPRA. The project has been conducted following the Scope of Work of PO # 1443-PX6290-97-012 issued by Effigy Mounds National Monument, National Park Service (Appendix A). Included in the report is a listing of all objects (human remains) deaccessioned (Table 1), brief descriptions of how they came to be part of the Effigy Mounds National Monument (EFMO) collections, an account of studies made of those remains, their current status and a listing of objects that were associated with them (Table 2).

The 1990 deaccessioned items have been "tracked" from the time of their accession to the present. Most of these remains (Appendix H) have been studied and reported upon (Fisher and Schermer 1987) by the Iowa Office of the State Archaeologist (OSA). Some, those that were recovered off the Effigy Mounds tracts, have been reburied or sent to the state of origin for subsequent reburial. Reburial of Native American remains is conducted periodically by the Office of the State Archeologist, Iowa City, with appropriate ceremony. The time and place of these reburial ceremonies is not public. I am assured by OSA representatives, however, that reburied remains discussed in the following have indeed been reinterred, but am not privy to the time or place of burial. The remainder (remains recovered on EFMO) were returned to the Monument. It is clear in the letter from Calabrese to Schermer dated April 7, 1987 (Appendix B) that the invoice for the work was to be submitted after the collections (of human remains studied and reported upon) were returned to EFMO. With the exception of eight skull fragments from Accession 8 (Highway 76 Rockshelter), all human remains from Park property were returned to the Monument by the Office of the State Archeologist and were apparently received May 1, 1987 (Appendix H). The 8 skull fragments from Accession 8 were analyzed by OSA, then returned to EFMO (letter, Schermer to David, 2/28/90; Appendix C). All of the remains analyzed by OSA were eventually returned to EFMO, but are now unaccountably missing.

In 1995, the Superintendent at EFMO, Karen Gustin, was asked to search the museum collections for human remains. Following much correspondence, her letter dated 10/20/95 (Appendix E) states that a bundle burial, the Devil's Den burial, and remains retrieved from Mound 43, Sny Magill Group, during vandalism repair were curated at MWAC.

The disappearance of the skeletal remains became apparent at EFMO and resulted in a series of correspondences early in 1996, the general conclusions of which was that the remains were



unaccountably missing (Appendix E). I asked Superintendent Miller to initiate just one more search early in March, 1998, to look for two or more boxes, perhaps unopened, that could contain those human remains analyzed (a box 12x12x16 inches could accommodate a number of human femora and skulls). That search was performed, but no such boxes were found.

In the following report, skeletal remains will be dealt with by accession number. The accession catalogue offers contextual data (where the object came from), who presented the remains and, sometimes, something of the circumstances under which the remains were taken from the ground. Should the accession catalogue not offer information in sufficient detail for employment in this report, some "teasing out" of information has been required. Thus, some intensive research has been required for some accession units. Accession numbers are sometimes assigned to materials taken from more than one location; the locations are be sorted out and the materials from each discussed in that context if possible. The status and present location of the human remains identified will be discussed to the degree possible. Any objects which were associated with human remains, all of which are now *Unassociated Funerary Objects* (now physically separated from the skeletal elements), are presented in Table 2 by accession number and specific location.

## THE RESEARCH AND RESULTS

The present study is designed to assess the status of these NAGPRA eligible materials, to present the data pertinent to their becoming part of the EFMO collections, to demonstrate the relationship between the skeletal remains and any artifacts that may have been associated with them and, finally, to trace the present location(s) of the human remains. As did Fisher and Schermer (1987), I will follow the accession numbers assigned by various catalogers at Effigy Mounds.

**Accession #1** Accession #1 was posted in 1950, described as "Archeological materials from authorized excavations on the monument" (following this in different hand and pen is inscribed 13AM82 - 55), and was received from Paul Beaubien, Archeologist. The record also states that acquisition was through an NPS Authorized Project and that portions were deaccessioned ("see deaccession list"). The note offering the site number, 13AM82 (the Nazekaw Terrace site) and the number following that site number, 55, might be taken to suggest that all the skeletal remains came from Mound 55, one of the mounds from which materials included in accession #1 were derived.

Items included in Accession #1 were excavated by Paul Beaubien, NPS Archeologist, from Mound 55, Nazekaw Terrace, Effigy Mounds National Monument, in the summer of 1950 (Beaubien 1953a, 1953b). The skeletal remains were analyzed and written up by Fisher and Schermer (1996), then returned to EFMO on May 1, 1987. All were attributed to Mound 55 (Fisher and Schermer 1996:4-8).

There is a problem with these remains. Judging from the artifacts also included under Accession #1, there should have been skeletal remains from Mound 57 as well, including three badly decayed long bones and portions of two bundle burials, representing at least 12 individuals. Of the 12, one was an infant, one a child of about six, an adolescent of ca. 12 years and the remaining eight were adults (Beaubien 1953b:133-135). Beaubien does not describe any of the bone from Mound 57 as burned.

Mound 55, on the other hand, produced "a charred mandible and skull fragments ... charred fragments of a second skull ... an unburned femur associated with a portion of a crushed and charred pelvis ... numerous scattered fragments of charred bone in black earth loaded with minute pieces of charcoal ... the charred portion of the symphysis region of a mandible ... fragments of tooth enamel believed to be human." (Beaubien 1953b:129).

Schermer and Fisher discuss some cataloguing problems with the materials submitted to them, discussing at some length, but not resolving the difficulty, of material labeled "AM47". The "AM47" material is "a mixture of unburned bone and almost carbonized burned bone" (Schermer and Fisher 1996:4), which does not offer much assistance to this research. Still, Beaubien's description of the materials from Mound 55 suggests to me that most of the human remains from there were burned; the exception being one femur. Further, his descriptions of Mound 55 suggest that there could have been as few as only two persons represented. Following Beaubien's discussion, Mound 57 may have had as many as 12 individuals represented. I suspect that the Schermer and Fisher report combines data from Mounds 55 and 57 due to the poor records they received when presented with Accession #1. They might have become aware of these problems and, perhaps, modified their approach to the materials in Accession #1 had they consulted Beaubien's published accounts of the excavations (Beaubien 1953a, 1953b).

The human remains in Accession 1 were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 2** One item from the Ellison Orr collection (Cat #514) is apparently a piece of human bone from an undetermined location. It was not transferred to the Office of the State Archeologist for analysis and was not observed during the two visits I made to EFMO. Ellison Orr was not in the habit of retaining human bone in his collection, but might have done so in this instance because of some anomaly. It may remain in the collections, but was not located during the study.

**Accession #5** Accession #5 was posted on August 17, 1952, described as "Archeological materials from authorized excavations at Sny Magill Mound Group", and was received from Paul L. Beaubien, Archeologist. The record also states that acquisition was through an NPS authorized project, that portions were deaccessioned ("see deaccession list for deaccessioned portions of this accession") and that the catalogue number is 29I. The trinomial site number for the Sny Magill Mound Group is 13CT18.

Fisher and Schermer (1987:9) were sent only a few bones from Accession 5 (Cat #3929; Appendix H). Their descriptions do not conform to Beaubien's description of the remains he found in Mound 7. They discuss the remains found in two boxes, suggesting that a minimum of one individual is represented. I do not believe that they received all the remains from Mound 7 and quite obviously did not receive the remains from Mounds 43, 27 or 24. These remains will be discussed below, relying on Beaubien's published discussions. The fate of the skeletal remains is not known.

*Mound 7* Beaubien (1953b:62-63) encountered two individuals in Mound 7, a low, conical mound in the Sny Magill Group. One was a compact bundle burial with most bones present and articulated. The vertebral column, skull, mandible, humeri, ulnae, femora and pelvis all were recognized in the field. He suspected that the burial was a secondary inhumation (buried after the body had at least partially desiccated or a burial - exhumation - reburial situation) because of the relationships of some of the articulated elements. The second individual is represented by some long bones, skull fragments, portions of a mandible and teeth. The teeth, found near the mandible, were worn sufficiently to expose pulp cavities; one carried a distinct caries pocket.

Three simple triangular projectile points were found in association with the scattered remains of the second individual in Mound 7. Obviously, Beaubien was nonplussed by their presence in a mound because this point type is generally associated with Upper Mississippian groups (in this region, Oneota) here. While he was digging it, Beaubien had obviously believed that Mound 7 was constructed by Woodland tradition people, led by the predominance of evidence supporting that hypothesis in this part of the Mississippi River valley. It should be noted, on the other hand, that the carious tooth suggests a high-carbohydrates diet, a characteristic of people that cultivated and ingested large amounts of corn. Evidence for corn gardening is quite common in late Woodland sites in some regions of the upper Midwest, but not in all. Most northeast Iowa late Woodland sites offer no evidence for corn horticulture. Beaubien found the triangular points remarkable, but found sufficient evidence for small triangular points in Wisconsin near Madison and in Northwestern Illinois to satisfy his doubts for late Woodland authorship for Mound 7. On the other hand, most of the mounds around Red Wing, Minnesota (located about 150 miles upstream on the Mississippi) about which any record remains were constructed by Upper Mississippian people. There is also other evidence for mound use, if not construction, by Oneota people in northeast Iowa. Unfortunately, those responsible for construction and use of Mound 7 did not see fit to include a pottery vessel or even a few potsherds to help us in identifying the makers.

The artifacts recovered from Mound 7 by Beaubien are listed in Table 2. There is a problem, however, with a fourth projectile point which is small and corner notched, perhaps an arrowpoint. The accession number on this contentious point is 1, suggesting that it was in the Beaubien Mounds 55 and 57 collection. It is catalogued as #3931, within the sequence (#'s 3930-33) of the triangular points from Mound 7, but is clearly marked "Md 27", both of which

should be part of accession 5. Beaubien records no artifacts from Mound 27, a large bird effigy, and records no small corner notched points from Mound 7. I tentatively assigned it to Mound 7 because of the sequencing in catalogue numbers assigned (Henning 1998: Table 4), assuming that some cataloger had made at least one error and that it might belong with the Mound 7 materials. However, after careful rereading of Beaubien's published article on the mound and digesting the tenor of his considered and thoughtful reporting of triangular arrowpoints in late Woodland contexts, it is obvious that he did not knowingly recover this small corner notched point from Mound 7. It is not recorded from Mound 27 and is not mentioned from either Mound 55 or Mound 57 (both accession 1) that he investigated. Its derivation must be regarded as not known.

*Mound 24* Beaubien (1953b:61-62) describes Mound 24 as conical, 37 feet in diameter and three feet high. Pottery recovered in the mound suggests that it was constructed by middle Woodland people. Human remains consisted of only one skull cap which separated into many fragments when it was exposed, which is probably the reason Beaubien offers no estimate of age. Only pottery fragments, probably representing two jars, were recovered from the mound. These pottery fragments are listed in Table 2

*Mound 27* Beaubien (1953b:60-61) describes the remains of two individuals from Mound 27, a large bird effigy. One individual, a 9 year old child, is represented by 12 teeth, the other is an adult, represented by a metatarsus. No artifacts were recovered.

*Mound 43* Beaubien (1953b:57-60) states that he located four groups of bones in the mound. He refers to each group as a "burial." Burial one consisted of elements from three individuals, two of which had been disarticulated when buried. The third individual in this unit had been deposited while many of the bones were held in anatomical order by the remaining ligaments. Beaubien's burial 2 was a bundle burial with no evidence for articulation. Burial 3 was an articulated individual bundle burial. Burial 4 consisted of only four badly decayed long bones laid parallel and close to each other. According to Beaubien, perhaps parts of six individuals were recovered through his excavations at Mound 43. A number of artifacts were also recovered from Mound 43. These are listed in Table 2.

The human remains that Fisher and Schermer analyzed from Accession 5 were returned to EFMO on May 11, 1987 and have since disappeared.

**Accession 3** Accession 3 is a single item from the collection of Asbjorn Olsen; it was donated to EFMO by Dr. Warren Hayes of Waukon, Iowa. The object, a Conch or Whelk columella with a suspension hole, is labeled *Great Temple Mound, Le Flore Co., Oklahoma*. It is probably from the Craig Mound, Spiro Mound Group, a well-known ceremonial burial mound from which many artifacts have been taken. The artifacts were definitely in association with human remains; this shell object is undoubtedly an *unassociated funerary object*.

**Accession 4** Accession 4 includes items recovered from Mound 33 on Fire Point (13AM190)

through authorized excavations conducted by Wilfred D. Logan.

**Accession 8** Accession 8 consists of skeletal remains from the Highway 76 Rockshelter (13CT231), Effigy Mounds National Monument. The remains were studied by Fisher and Schermer (1987:10-14) and included the skeletal parts of at least 13 individuals. None of the individuals was represented by a complete skeleton. Included are 1 fetus, 2 nearly newborn infants, 1 child 1-2 yrs, 1 child 4-5 years, 1 child 5-6 years, 1 child ca. 8 years, 1 female 10-12 years, 1 adult female, 1 adult male 30-35 years and 1 adult male 50+ years. No artifacts were recovered with the remains.

I visited the site with Dr. Wilfred D. Logan some years after the excavations. The shelter is hardly a shelter, rather is an open fissure in the St. Peter sandstone where the remains had obviously been placed in the prehistoric past. It is difficult to locate and reach. The site was found by a climber-hiker and reported to Logan when he was Park Archeologist. The bones were subsequently removed by Logan.

Most of these bones were among those returned to EFMO on May 11, 1987. Eight skull fragments (Cat #s 4924, 4929, 4930 (2 pieces) and four additional fragments were retained by Shirley Schermer, OSA, for study of cut marks. Schermer counted a total of 420 cut marks, probably from defleshing as part of burial treatment, on these skull fragments. She returned the fragments to EFMO in February, 1990 (Appendix C).

All of the skeletal remains in Accession 8 have since disappeared.

**Accession 12** is a bundle burial recovered during excavations directed by Robert T. Bray, Park Archeologist and acquired June 20, 1957 (b)(6), (b)(7)(C) notes, Appendix J). Assisting Bray were Ralph Blackwell, Robert Kile and (?) Dave Thompson. The burial was probably taken from Mound 2 of the Devils Den Mound Group. It was recovered from the mound in a plaster jacket and placed on display in the EFMO museum and removed from display in the early 1970s. It was transferred to the Midwest Archeological Center at some time prior to July, 1973. It has not been professionally analyzed. No artifacts were associated with the burial.

The bundle burial is currently curated at the Midwest Archeological Center.

**Accession 13** Accession 13 consists of human skeletal remains from the New Albin Rockshelter. The remains, consisting of the nearly complete skull of an individual (probably female) of 18-20 years, were studied and reported upon by Fisher and Schermer (1987:15-18). According to their report, a game warden turned over the remains to EFMO. This may have been Robert Daubendiek of Decorah, Iowa, a game warden assigned to this district about that time, 1957. Daubendiek was a very active collector about this time who characteristically turned all skeletal material over to some official agency. No artifacts were turned in. There is no record of any associated materials.

This skull has been reburied through the OSA reburial program.

**Accession 14** Accession 14 consists of human remains from the Elephant Terrace, 13AM59. The bones were included in a collection of materials brought in by Wilfred D. Logan. Logan (1975:68-70) did limited tests on the Elephant Terrace village site, producing some artifacts, but his report mentions no human bone, but apparently it was included in the accession. Parts of four adults: one female 16.5-18 years, one female 40-50 years, and two elderly (over 45) males. Logan does not mention digging into a mound or mounds. I would have expected mention in his published discussion of the Elephant Terrace had he encountered human remains, so wonder at how these materials came to be associated with Accession 14. There is a large number of elements, so many that they could not have escaped notice. I do not believe that they were excavated by Logan.

It is possible that these remains were actually excavated by Orr, and included for reasons unknown in the Logan accession. It was contrary to Orr's practice to retain large amounts of skeletal material from any of his excavations; however, but this seems one of few options at this time. Associated with the skeletal remains that Orr excavated (Logan 1975:67) were a finely chipped ovoid knife of a type found with local Oneota burials and a black stone ball. These items are probably eligible for NAGPRA and may reside in the Orr collection (Accession 2). Their possible presence arose in the process of unraveling the skeletal data. They were not identified in the first study and are not included in my NAGPRA Summary.

The skeletal remains have been reburied through the OSA reburial program.

**Accession 16** Accession 16 consists of skeletal remains and artifacts recovered from Mound 36 or 37 (13AM190), by Dr. H.P. Field of Decorah, Iowa, in 1928. The accession notes include in different hand from the original "also, 13AM82", which adds a bit of confusion. I have found no notes suggesting that Dr. Field excavated mounds on the Nazekaw Terrace (13AM82) and I doubt that he would have confused the materials from the two sites at the time he turned them in. Field probably applied some type of preservative to the bones; this was standard practice for him when encountered with bone in poor condition. Fisher and Schermer (1987:30-31) had very little to work with and suggest that two or three individuals are represented. Five artifacts were recovered with these skeletal materials; they are listed in Table 2.

The skeletal remains were returned to EFMO on May 11, 1987, and have since disappeared.

**Accession 44** The entry under Accession 44 is "material stored in EFMO collections with no information, labels, etc.", which offers very little. Fisher and Schermer (1987:32-33) suggest that the minimum number of individuals is two. There are no known associated artifacts.

The skeletal remains are at the Office of the State Archeologist, Iowa City, awaiting reburial.

**Accession 48** The skeletal remains included in Accession 48 were recovered between 10 July and 26 October, 1963 (Fisher and Schermer 1987:34-41), by persons not identified in the accession records. The site was investigated during the tenure of Garland Gordon as Park Archeologist; it is possible that he visited the shelter site, but I doubt that he entered the shelter. I have not visited the site, but understand that it was very difficult to attain entry due to the construction activities that had removed part of the bluff face. Robert Daubendiek, the regional game warden noted locally for his lack of fear in any situation, did visit the shelter and removed some skeletal remains as well as numerous artifacts. My brother, Darrell Henning, also gained entry with Daubendiek during this period of time. Either of them may have contributed the skeletal remains; others may have been involved as well. If any artifacts were associated, no record of those associations is extant. Fisher and Schermer (1987) record evidence for the remains of at least eight individuals.

The remains have been reburied through the OSA reburial program.

**Accession 49** Skeletal remains from the Spike Hollow Rockshelter (13AM47) may have come from excavations conducted by Wilfred D. Logan. Dr. H.P. Field and I were present for some of these tests. Although I recall Logan making field notes, these were apparently not available when Fisher and Schermer (1987:42-45) analyzed the human remains. Their report suggests that a minimum of five individuals was present, all adults. No artifacts are known to have been recovered in association with the human remains.

I was of high school age when the excavations took place, so some time has passed and recollections are dim. My recollections of Spike Hollow include one visit to the site with Ellison Orr, probably when I was in grade school and, years later, handling a sifting screen for Logan. I do not recall any human remains coming from the shelter. Those may have been recovered at a time or times when I was not present.

The human remains have been reburied through the OSA reburial program.

**Accession 50** Human skeletal remains were recovered from a burial near Guttenburg, Iowa. The records sought offer no idea as to who the excavators were or who turned the remains in at EFMO. These materials were analyzed by Fisher and Schermer (1987:46-52) and are the remains of one male adult. No artifacts are known to have been associated; none are included in Accession 50.

The human remains have been reburied in through the OSA reburial program.

**Accession 51** Accession 51 consists of the remains of two individuals, a small child 1-2 years old, and an adult. The material was analyzed by Fisher and Schermer (1987:53-57). During my indiscriminate digging days, prior to 1953, I found the infant beneath a rockfall in the Quandahl shelter. I do not recall the adult bones; they could easily have come from some other location in the shelter. There were no associated artifacts.

The human remains remain at the Office of the State Archeologist, Iowa, and await reburial with other remains from the site.

**Accession 53** Accession 53 consists of burned and unburned human skeletal remains from Mound 18, 13AM207 (North Unit, EFMO). These materials were apparently recovered by authorized excavations conducted under the direction of Wilfred Husted, Archeologist, National Park Service. Elements from a minimum of three individuals, one subadult 10-15 years old and two adults were analyzed by Fisher and Schermer (1987:58-60).

The remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 56** There are no human remains in Accession 56, but the artifacts are included because of their relationship to a mound context. These materials come from Mound 42 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations, probably cleaning and restoring old relic-hunters' holes, performed under the supervision of James Mount, Park Archeologist. Two potsherds and a glass jar of red ocher and dirt (Cat. #'s 3464-66) are included in Table 2.

**Accession 58** There are no human remains in Accession 58, but the objects are included because of the mound context. These materials come from Mound 61 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations performed under the supervision of Garland Gordon, Park Archeologist. One Woodland rimsherd and five small projectile points were recovered and are listed in Table 2.

**Accession 60** There are no human remains in Accession 60, but the objects are included because of the mound context. These materials come from Mound 66, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One projectile point was recovered and included in Table 2.

**Accession 64** There are no human remains in Accession 64, but the objects are included because of the mound context. These materials come from Mound 71, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One bottle of large charcoal fragments was recovered. That item is included in Table 2.

**Accession 65** There are no human remains in Accession 65, but the objects are included because of the mound context. These materials come from Mound 72, EFMO and were recovered during authorized excavations under the supervision of John Ingmanson, Park Archeologist. One bottle of large charcoal fragments and a bottle of soil were retained and are listed in Table 2.

**Accession 70** Accession 70 consists of human skeletal remains from the Marquette Rockshelter. The precise location and site number of this rockshelter is not known, nor is



there information about the excavator or donor. The remains were analyzed by Fisher and Schermer (1987:61-69), who record a minimum of 10 individuals, 1 newborn, 1 child 1.5-2.5 years,, 1 child 3-5 years, 1 child 6-7.5 years, 1 child 8-9.5 years, 1 child 10-12 years and four adults (one younger, one middle-aged, two elderly). No artifacts are known to have been associated with these remains.

The remains were reburied through the OSA reburial program.

**Accession 72** Accession 72 (catalogue #591) is apparently human bone recovered from the surface four miles north of Harper's Ferry, Iowa. Not analyzed by OSA, its identification and status are unknown. It was not located during this investigation.

**Accession 77** Accession 77 consists of human skeletal remains from the Karnopp Mound Group, Prairie du Chien, Wisconsin. These remains were donated by Gordon Peckham of Prairie du Chien. The excavator is not known. The skeletal remains, consisting of the partial remains of a juvenile 12 - 14 years of age, were analyzed by Fisher and Schermer (1987:70-71). Some artifacts, "ceramic sherds, chipping flakes, point" are listed in the Accession Records at EFMO. I assume, but cannot be certain, that the artifacts were returned to Wisconsin with the human bone.

These remains were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state (Appendix E, notes dated 3/11/96, letter Schermer to Gustin, 3/20/96)

**Accession 78** This skeletal material is from Mound 12, 13AM101, the Red House Landing Mound Group, EFMO. It was excavated by John Ingmanson, Park Archeologist, during an authorized excavation. It was accessioned in July, 1977, probably shortly after it was recovered. The bone has been analyzed by Fisher and Schermer (1987:72-75), who identified a minimum of two subadults and two adults. No artifacts were recovered in association with these remains.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 87** These skeletal remains are from an unknown location and no donor name is listed in the Accession Record. The material was analyzed by Fisher and Schermer (1987:76-78) who found elements of a minimum of two adults. No artifacts are known to have been associated.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 95** Accession 95 includes items (catalogue numbers 1940, 1941) collected outside the park (Appendix E, Gustin to Watson, 3/25/96) and deaccessioned in 1990 (Appendix G). Fisher and Schermer (1987) do not mention Accession 95, suggesting that they did not receive those materials for analysis. These materials have not been located since deaccession.

**Accession 106** These remains were recovered through authorized excavations of Mound 33, Fire Point Site (13AM 190) by Wilfred D. Logan, Park Archeologist. The skeletal elements were analyzed by Fisher and Schermer (1987:79-85), who identified a minimum of three subadults and two adults. These remains were accompanied by artifacts, under Accession 4, which are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 107** The skeletal remains under Accession 107, deaccessioned in 1990 (Appendix G), were analyzed by Fisher and Schermer (1987:86), who identified the small fragments as representing a minimum of one individual.

The remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 109** The remains under Accession 109 consist of skeletal elements and a few artifacts that were found in an authorized excavation of Mound 38, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987:87-90), who identified elements from at least five individuals. A few Woodland tradition bodysherds were also recovered in these excavations. They are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 110** The remains under Accession 110 were items collected within the park (Gustin to Watson, 3/25/96, Appendix E) and deaccessioned in 1990 (Appendix G). They were included with uncatalogued materials (Appendix G). They were not analyzed by Fisher and Schermer (1987) and have not been located.

**Accession 111** The remains under Accession 111 consist of skeletal elements and one flake that were found in an authorized excavation of Mound 41, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987: 91). One adult individual was identified. The flake is included in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 114** Accession 114 materials were taken from Mound 41 (13AM190) during stabilization work conducted by Garland Gordon, EFMO. No skeletal remains were recovered in this work.

**Accession 118** Accession 118 is material taken from Mound 52 (13AM190) during work conducted by Robert Kile, EFMO. No skeletal remains were recovered in this work.

**Accession 132** Accession 132 (catalogue numbers 7249, 7331) consists of human remains

collected outside the park (Gustin to Watson, 3/25/96, Appendix E) and deaccessioned in 1990 (Appendix G). These remains were not analyzed by Fisher and Schermer (1987) and were not located during this study.

**Accession 142** A few skull fragments were recovered during an exploratory test of a low rise between Mounds 91 and 89, Sny Magill Mounds (13CT18). These tests were authorized by the National Park Service through contract with Luther College, Dale R. Henning, Project Director (Henning 1989:12-14). As soon as human remains were identified, the excavation was closed down. We had learned that the low rise was indeed created prehistorically for human interment. Most of the skull was left in place; the fragments recovered were retained. All artifacts and the skull fragments were curated at Luther College, Decorah, Iowa.

The skeletal remains are currently curated by Luther College (Appendix G).

**Accession 148** The entry for Accession 148 in the Accession Book is partially incorrect through the identification of the mound investigated as Mound 68. I did the work (Henning 1991); it was Mound 43, the same mound that Beaubien excavated in 1952 (Beaubien 1953b). I had also investigated vandalism at Mounds 68 and 62; the work was done the previous year and resulted in finding no human remains. The work I was called upon to do at Mound 43 was to investigate and repair damage done by vandals that same year. I was very surprised to encounter fragments of human bone in the relic hunters' backdirt pile because Beaubien had been very thorough in his investigations of the mound. I knew that he had left some balks near the center of the mound where the damage had occurred and suspected that the hole had intruded into one of those. This possibility was investigated in the field, but all the soil appeared along the pit edges to be very unconsolidated and recently disturbed, suggesting that the vandals had intruded into Beaubien's old excavations and had encountered nothing but previously excavated soil. The bone encountered was fragmentary, but in quite good condition. Beaubien described all the bone found in 1952 as poor in condition. The presence and derivation of the bone we found remains a mystery.

The human bone found in the 1991 repair work was turned over to MWAC and remains there (Appendix J).

## SUMMARY AND CONCLUSIONS

The study is ended, if not concluded. Tracing the derivation, curation and ultimate disposition of the human remains placed in the curatorial care of Effigy Mounds National Monument over the past four decades has proven an immensely difficult task. The records are poor and inaccurate to the degree that every number and artifact has to be checked and re-checked in order that it might be presented correctly. In some instances, I know I have failed, if only because of time and the distance of *all* the records that should be checked from my base of operations. The results are intellectually disappointing in many ways. The human remains

and the associated (now, Unassociated) artifacts that I have been allowed the privilege of studying are very important; their importance significantly enhanced by the records of their excavation and curation. In some instances, these records were lost when the items were donated to EFMO, but in many others the records, even the artifacts themselves, were lost or confused by incompetent curation. Some of the worst work was apparently done by professional archeologists, not a positive commentary on our chosen field of expertise. One of the best pieces of work was done not by a professional archeologist but (b) (6), (b) (7)(C) Administrative Clerk at EFMO, who researched the bundle burial once on exhibit at EFMO (Appendix J). If every accession number, every catalogue number and every artifact at EFMO could receive that kind of detailed attention, a host of incorrect entries and mistakes in cultural identification and object location could be corrected. There is no doubt in my mind that entry errors and poor archeological identifications lie in wait for any researcher who works with the collections in the future unless an intense effort is made to compare and integrate all the catalogues, the journals and the artifacts themselves, then prepare a master inventory that can be used. The collections constitute an absolutely invaluable research collection even at this time, but the cataloguing and records need attention. I can only hope that my own endeavors have not added additional elements of confusion.

Accessions 1, 5, 8, 13, 14, 16, 44, 48, 49, 50, 51, 53, 70, 77, 78, 87, 106, 107, and 111 were analyzed by the Office of the State Archaeologist.

Of these, Accessions 1 and 5 were incomplete and not adequately identified to mound derivation when they were submitted to OSA. This is unfortunate in the extreme. These were professional excavations, and (Accession 5) were the first authorized excavations conducted at the Sny Magill Mound Group. The problem may have been compounded by failure of the OSA human biologists to consult Beaubien's published reports, especially in the instance of his excavations of Mound 55 and 57, 13AM82. OSA did not receive all of the skeletal remains Beaubien recovered at Sny Magill. The bulk of those materials were either never turned in to EFMO or were lost after submission to EFMO by Beaubien. Now, of course, we may never know.

Accession 14 is confused. Logan apparently found no skeletal remains from the Elephant Terrace where those materials are supposed to have come from. That leaves the excavations of Ellison Orr as a possible source. If they came to EFMO from Orr's work, they should have been under Accession 2. We are left in doubt of the authenticity of these remains until time can be taken to compare the OSA analysis with Orr's notes in great detail. Any field notes taken by Logan should also be reviewed. The NAGPRA eligibility of artifacts recovered by Orr from the Elephant Terrace should be reviewed in the future.

Of the materials analyzed by OSA, the following accession numbers have been reburied: 13, 14, 48, 49, 50, 70, 87. Skeletal remains from two sites (Accession #'s 44, 77) have not been reburied, but are held by OSA until other remains are available to be reinterred with them.

Accession #77 was analyzed by OSA, then sent to the State Historical Society of Wisconsin for reburial.

Accessions 1, 5, 16, 53, 78, 106, 109 and 111 were returned to EFMO by OSA on May 1, 1987. Accession 8 was returned on 2/28/90. All of these skeletal remains have since disappeared.

Accessions 95, 110, and 132 either consist of a few catalogued elements of human bone or were not catalogued. These remains were not studied by Fisher and Schermer and have disappeared.

Accessions 12 and 148 are curated at the Midwest Archeological Center, Lincoln, Nebraska.

Accession 142 is curated at Luther College, Decorah, Iowa.

Accessions 2 (Cat #514) and 72 (Cat #591) are listed as deaccessioned in the 1986 list (Appendix G), but were not analyzed by OSA nor are they extant in the collections today. They must have been human bone, but there is no indication of element or other information. These items have disappeared and could not be studied.

Artifacts once associated with skeletal remains (now, Unassociated Remains) were sought and listed in tabular form. Again, there are problems due to past curatorial practices. A copper sheet (#3234) and two antler artifacts (not catalogued, given #'s -2, -1; Table 2) apparently came from Mound 55, EFMO, but the Beaubien report combined with curatorial data offers reason for doubt. There is an 'extra' small corner notched projectile point from Mound 7 that was not described by Beaubien in his published report. It is attributed to Mound 27, judging from an inscription on its surface, but Beaubien reported no artifacts from that mound. There are only five copper beads from Mound 43 in the collections; Beaubien recorded 12. The pearl bead reported and illustrated from Mound 33 by Logan could not be located in the collections. There are probably other problems with the Unassociated Artifacts that could not be discerned without reference to publications. A number of authorized excavations (by Husted, Gordon, Ingmanson, Mount) have taken place that have not been formally reported on, suggesting that those reports were not regarded as a high priority, which is unfortunate. That affords the researcher with no recourse other than to notes and artifacts.

The responsibilities we have been given by NAGPRA are many and varied. One very positive result of the requirements is that we now must study the collections for which we have assumed curatorial responsibility and attempt to place the remains culturally, geographically and chronologically with the records at hand. It has afforded many professional archeologists an opportunity to try to use the results of previous curatorial practices and, in so doing, to look to ourselves and the importance to the future of how we function as stewards of the past. It is a sobering thought that has stimulated and guided significant improvements in curatorial efforts over the past few years. We can learn from the past.

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Table 1. Status, Human Remains, Effigy Mounds National Monument

Accession Number	Derivation	Analyzed by OSA	Current Status
1	Mound 55, 13AM82, EFMO	yes	unknown
2	Ellison Orr collection; otherwise unknown (cat #514)	no	unknown
5	Mound 7, Sny Magill (13CT18), EFMO	yes	unknown
8	Hwy 76 Rockshelter (13CT321), EFMO	yes	unknown
12	Devil's Den Mound group (13CT50)	no	MWAC
13	New Albin Rockshelter	yes	reburied
14	Elephant Terrace (13AM59)	yes	reburied
16	Mound 36 or 37, 13AM190, EFMO	yes	unknown
44	unknown	yes	not reburied, held at OSA
48	Waukon Jct. Rockshelter (13AM266)	yes	reburied
49	Spike Hollow Rockshelter (13AM47)	yes	reburied
50	Guttenberg Burial	yes	reburied
51	Quandahl Rockshelter (13WH35)	yes	not reburied, held at OSA
53	Mound 18, 13AM207, EFMO	yes	unknown
70	Marquette Rockshelter	yes	reburied
72	Surface, 4 mi. N. of Harper's Ferry	no	unknown
77	Karnopp Mound Group, Prairie du Chien, Crawford Co., WI	yes	sent to St. Hist. Soc., WI for reburial in state
78	Mound 12, 13AM101, EFMO	yes	unknown
87	unknown	yes	reburied
106	Mound 33, 13AM190, EFMO	yes	unknown
107	Mound 39, 13AM190, EFMO	yes	unknown
109	Mound 38, 13AM190, EFMO	yes	unknown
110	Surface, Mound 38, 13AM190, EFMO	no	unknown
111	Mound 41, 13AM190, EFMO	yes	unknown
132	Surface, FTD village, EFMO	no	unknown
142	Sny Magill Mounds (13CT18), between Mnds. 91-89, EFMO	no	Luther College, Decorah, Iowa
148	Sny Magill Mound 43 (13CT18), EFMO	no	MWAC

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
<i>Accession 1</i>						
Antler artifact	-2	1	1	Antler flaking tool	Mound 55, EFMO (13AM82)	Beaubien
Antler artifact	-1	1	1	Antler artifact, possible beamer	Mound 55, EFMO (13AM82)	Beaubien
Copper sheet	3234	1	1	Small flat sheet of copper, perforated one end	7 Mound 55, EFMO (13AM82)	Beaubien
Flake	3475	1	1	Knife River flint flake, heat spall (2 pieces glued)	Mound 55, EFMO (13AM82)	Beaubien
Biface	3480	1	1	Projectile point /knife fragment	Mound 55, EFMO (13AM82)	Beaubien
Stone	3481	1	1	Possibly unmodified stone	Mound 55, EFMO (13AM82)	Beaubien
Stone	3484	1	1	Possibly unmodified stones (2)	Mound 55, EFMO (13AM82)	Beaubien
Biface fragment	3485	1	1	Knife River flint biface frag. or unfinished proj. point	Mound 55, EFMO (13AM82)	Beaubien
Tooth fragment	3486	1	1	burned canine fragment (?bear) joins 3487 and 2 smaller frags	Mound 55, EFMO (13AM82)	Beaubien
Tooth fragment	3487	1	1	burned canine fragment (?bear) joins 3486 and 2 smaller frags	Mound 55, EFMO (13AM82)	Beaubien
Stone	3488	1	1	Stone remnant	Mound 55, EFMO (13AM82)	Beaubien
Biface	7078	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, EFMO (13AM82)	Beaubien
Copper breastplate	7082	1	1	Middle Woodland copper gorget or breastplate	Mound 57, EFMO (13AM82)	Beaubien
Biface	7086	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, EFMO (13AM82)	Beaubien
Bear canine	9862	1	1	bear canine, hole drilled at proximal end	Mound 55, EFMO (13AM82)	Beaubien
<i>Accession 2</i>						
Uniface	4	2	1	End scraper, Oneota	Burial ((b) (3) [redacted])	Ellison Orr collection



Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
Awl, bone	8	2	1	Deer bone, tip broken off	Oneota burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Pottery	55-78	2	1	24 pieces of pottery	Mound 2, Paint Rock grp, Allamakee Co., Ia	Ellison Orr collection
Uniface	80	2	1	End scraper, Oneota	Burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Abrader	309	2	1	Arrowshaft abrader, sandstone	Burial ((b) (3) )	Ellison Orr collection
Hematite concretion	356	2	1	Previous identification as pottery vessel; is a concretion, perhaps drilled out.	Burial ((b) (3) )	Ellison Orr collection
Awl sharpener	7096	2	1	Oneota, sandstone	Burial (b) (3) )	Ellison Orr collection
Copper bracelet	9864	2	1	Small copper bracelet	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Copper bracelet	9865	2	1	Small copper bracelet	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Metal cone	9866	2	1	Copper/brass sheet metal conc, heavy ornament or punch	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
<i>Accession 3</i>						
Conch Columella	2432	3	1	Large conch/whelk columella, suspension hole	Great temple mound, Le Flore Co., Okla.	Asbjorn Olsen Collection by A. Olsen
<i>Accession 4</i>						
Mica	3360	4	1	Rectangular mica piece	Mound 33, EFMO (13 AM190)	Logan
Chert drill	3361	4	1	Chert flake drill (tip broken off)	Mound 33, EFMO (13AM190)	Logan
Chert flake	3362	4	1	Chert flake, perhaps used	Mound 33, EFMO (13AM190)	Logan
Copper breastplate	7083	4	1	Middle Woodland copper gorget or breastplate	Mound 33, EFMO (13AM190)	Logan
<i>Accession 5</i>						
Chert biface	3930	5	1	Projectile point, triangular	Mound 7, Sny Magill F36 (13CT18)	Beaubien
Chert biface	3931	5	1	Projectile point, notched	Mound 7, Sny Magill (13CT18)	Beaubien

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
Chert biface	3932	5	1	Projectile point, triangular	Mound 7, Sny Magill (13CT18)	Beaubien
Chert biface	3933	5	1	Projectile point, triangular	Mound 7, Sny Magill (13CT18)	Beaubien
Pottery	9891	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	9892	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	9893	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	3951	5	1	Bodysherds, 4 joined, Middle Woodland	Mound 43, Sny Magill (13CT18)	Beaubien
Red ochre	3955	5	1	Red ochre	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	3958	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	3977	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	7080	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	7081	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43 Sny Magill (13CT18).	Beaubien
Copper Beads	9435	5	1	Small copper cylindrical beads (Beaubien, 1953 records 12; only 5 located)	Mound 43, Sny Magill (13CT18)	Beaubien
Chert uniface	9894	5	1	Side scraper	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	9895	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	9896	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Hammerstone	9897	5	1	Chert hammerstone	Mound 43, Sny Magill (13CT18)	Beaubien
<i>Accession 16</i>						
Pottery vessel	658	16	1	Small pottery jar, Oneota	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Abraded stone	1007	16	1	Abraded, flat river pebble	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Concretion	1134	16	1	Hematite concretion, polish	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Paint Stone	1135	16	1	Abraded hematite fragment	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Galena	1136	16	1	Unworked galena	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
<i>Accession 56</i>						
Pottery	3464	56	1	Bodysherd, Woodland	Mound 42, EFMO (13AM190)	James Mount
Pottery	3465	56	1	Bodysherd, Woodland	Mound 42, EFMO (13AM190)	James Mount
Red ochre	3466	56	1	Glass jar of red ochre and dirt	Mound 42, EFMO (13AM190)	James Mount

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
<i>Accession 58</i>						
Rimsherd	3513	58	1	Woodland rimsherd	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3543	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3546	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3547	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3548	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3549	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
<i>Accession 60</i>						
Chert biface	3799	60	1	Projectile point	Mound 66, EFMO	Garland Gordon
<i>Accession 64</i>						
Charcoal	3775	64	1	Bottle of large charcoal fragments	Mound 71, EFMO	Garland Gordon
<i>Accession 65</i>						
Charcoal	3776	65	1	Bottle of large charcoal fragments	Mound 72, EFMO	John Ingmanson
Soil	3782	65	1	Bottle of soil	Mound 72, EFMO	John Ingmanson
<i>Accession 109</i>						
Pottery	3452	109	1	Bodysherds (3), Woodland	Mound 38, EFMO (13AM190)	Garland Gordon
Pottery	3453	109	1	Bodysherds (2), Woodland	Mound 38, EFMO (13AM190)	Garland Gordon
<i>Accession 111</i>						
Flake	3463	111	1	Struck chert flake	Mound 41, EFMO (13AM190)	Garland Gordon
<i>Accession 114</i>						
Galena	3473	114	1	galena chunk, not modified	Mound 52, EFMO (13AM190)	Garland Gordon
<i>Accession 118</i>						
Rimsherd	3725	118	1	Woodland rimsherd	Mound 62, EFMO (13AM113)	unknown

## APPENDICES



**Appendix A**  
**Project Contract**

ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF 1 PAGES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 09/16/97	2. CONTRACT NO. (If any) OH	3. ORDER NO. 1443PX6290-97-012	4. REQUISITION/REFERENCE NO. RFQ6290-7-0004
------------------------------	--------------------------------	-----------------------------------	--

5. ISSUING OFFICE (Address correspondence to) ADMINISTRATION (319) 873-3491 EFFIGY MOUNDS NATIONAL MONUMENT 51 HWY 76 HARPERS FERRY IOWA 52145	6. SHIP TO: (Consignee and address, ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5
--	--

7. TO: CONTRACTOR (Name, address and ZIP Code)  Illinois State Museum Society Spring and Edwards Streets Springfield, Illinois 62706  217-782-6092	8. TYPE OF ORDER <input checked="" type="checkbox"/> A. PURCHASE - Reference your _____  Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of: <u>FAR Part 13</u> <input type="checkbox"/> B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.
--	---

9. ACCOUNTING AND APPROPRIATION DATA 6290-UZG 255S \$6000.00	10. REQUISITIONING OFFICE C1D EFFIGY MOUNDS NATIONAL MONUMENT
---	--

11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input type="checkbox"/> SMALL <input type="checkbox"/> OTHER THAN SMALL <input type="checkbox"/> DIS-ADVANTAGED <input type="checkbox"/> WOMEN-OWNED
--

12. F.O.B. POINT Harpers Ferry, Iowa	13. PLACE OF INSPECTION AND ACCEPTANCE Harpers Ferry, Iowa	14. GOVERNMENT B/L NO. N/A	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 02/01/98	16. DISCOUNT TERMS NET 30
---	---	-------------------------------	---	------------------------------

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	Assessment of specific objects in the museum collections of Effigy Mounds National Monument. Scope of Work attached and incorporated into this purchase order.  Objectives 1 and 2 from Scope of Work: Not to Exceed:  Contracting Officer's Representative: Kathleen L. Miller 319-873-3491  Mid-point progress report due: 12/15/97 Draft reports due: 01/02/98 Final reports due: 02/01/98  Initial meeting scheduled between COR Miller and Dr. Dale Henning before commencing work.	1	JOB	6000.00	6,000.00	

18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.	17(H). TOT. (Cont. pages)
21. MAIL INVOICE TO: (Include ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5			6,000.00
			17(I). GRAND TOTAL

22. UNITED STATES OF AMERICA BY (Signature) <i>Florencia M. Wiles</i>	23. NAME (Typed) FLORENCIA M. WILES, NPS-MW-IC-075 TITLE: CONTRACTING/ORDERING OFFICER
--	--

**SCOPE OF WORK FOR AN ASSESSMENT OF SPECIFIC OBJECTS  
IN THE MUSEUM COLLECTIONS OF  
EFFIGY MOUNDS NATIONAL MONUMENT  
IN RELATION TO THE NATIVE AMERICAN GRAVES PROTECTION  
AND REPATRIATION ACT OF 1990 (NAGPRA)**

This Scope of Work is for an assessment of certain objects in the museum collections of Effigy Mounds National Monument that have either been determined to or potentially meet the definitions of Inventory or Summary objects as defined by Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The purpose of this study assessment is to document whether certain objects in the monument's museum collections potentially meet the definitions of NAGPRA. The results of the assessment will provide park managers with information to be used to update their NAGPRA Summary and Inventory, and will be used in NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

**Background**

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) requires Federal agencies to provide information about Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in their collections, to Native American lineal descendants and Indian tribes. NAGPRA gives those federally recognized American Indian Tribes and Native American lineal descendants the right to claim for repatriation certain cultural items and human remains held in park museum collections.

Effigy Mounds National Monument, Harpers Ferry, Iowa, prepared a Summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony in 1993, an Inventory of human remains and associated funerary objects in 1995, and have consulted with Tribal representatives. Both the Summary and Inventory were prepared based on information provided in the museum's catalog and accession records and the Ellison Orr archives.

The NAGPRA Summary of 1993 for Effigy Mounds National Monument lists 19 entries consisting of pipe fragments, red ocher, awl sharpeners, sherds, projectile points, and more. At this time, possible contemporary affiliation for the Summary objects is unknown. The NAGPRA Inventory of 1995 lists culturally unidentifiable Native American remains which were recovered from two separate sites. The monument's museum collection contains approximately 18,000 items on site including objects and archival records. A small collection of materials and associated records are curated at the Midwest Archeological Center (MWAC), Lincoln, Nebraska. This collection at MWAC has not been cataloged and is considered a



catalog backlog. All other collections at the monument, however, are catalogued and entered into the National Park Service's Automated National Catalog System (ANCS), a database which can be accessed through dBase III.

Since the preparation of the NAGPRA Summary and Inventory, the staff at Effigy Mounds National Monument believes there may be additional items in the monument collections that may fit the categories and definitions of NAGPRA, and thus, these items should be added to the lists. The possibility also exists that certain other items already listed should not be.

### **Study Objectives**

Effigy Mounds National Monument is requesting a professional assessment of specific objects in their monument collections, together with accession records, to determine the status of these objects in relation to NAGPRA. The assessment will be the basis for a future study to evaluate potential cultural affiliation of objects with contemporary cultures and for NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

Two unresolved issues exist in the monument's records related to a 1990 deaccession of human remains. A review of the deaccession process and related documents and records is needed to clarify the disposition of these items and determine whether any associated grave goods remain in those accessions. If so, those existing grave goods would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument.

More specifically, the objectives of the study are to:

Objective 1. conduct a professional review and evaluation of the NAGPRA Summary and Inventory objects already listed for Effigy Mounds National Monument, other collection objects that have been recently identified as being potential Summary objects, and any other collection items that are identified during the review as potentially eligible as either Summary or Inventory objects as defined under NAGPRA;

Objective 2 conduct a comprehensive review of the 1990 deaccession including primary fieldwork documentation related to the deaccessioned objects, relevant accession and deaccession records, and park correspondence files, together with any objects still remaining in those accessions (Note: If grave goods still remain in those accessions, they would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument);

The contractor will provide Effigy Mounds National Monument with two reports.

Item 1, Objective 1: The first report will provide recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

Item 2, Objective 2: The second report will summarize the accession history and assess the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

### **Project Specifications**

The work conducted under this contract will be done in direct coordination with the park management of Effigy Mounds National Monument.

The assessments will be based on examination and evaluation of museum collection objects, together with research of appropriate published and unpublished historical, ethnographic, and legal literature and records, and other pertinent sources of information. The findings of this assessment will be documented and supported by appropriate historical and ethnographic evidence, and identified and cited in sufficient detail as to allow the information to be readily located and reviewed. Any sources that are not readily available, such as unpublished material, will be photocopied and included as appendices or attachments to the final study reports.

Any research necessary is to be performed in accordance with this scope-of-work and under the authority and requirements of the National Historic Preservation Act of 1966 as amended (PL 96-515), the Historic Sites Act of 1935 (PL 74-292), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the National Park Service's Cultural Resources Management Guideline (NPS-28; release no. 4, 1994).

### **Project Deliverables and Schedule**

The study will commence no later than November 1, 1997, with final reports being completed on or before February 1, 1998.

Work is to be preceded by a meeting with the Superintendent Kathleen L. Miller, Effigy Mounds National Monument at a mutually agreed date and time. Superintendent Miller will also serve as Contracting Officer's Representative for this procurement. At this meeting, the contractor will seek answers to any questions that he or she has before commencing work.

The contractor will submit a mid-point progress report to Contracting Officer Representative Kathleen L. Miller. This report will summarize the work accomplished during the time reported upon, and any findings and problems encountered. This report detailing progress of the research will be submitted on December 15, 1997.

The products of the study will be two separate written reports. The first written report (Item 1, Objective 1) will recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

The second written report (Item 2, Objective 2) will summarize the accession history and access the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

The reports should contain photocopies of any relevant unpublished materials used in the study assessment, as well as any photographs taken during the course of assessing collection objects.

The written reports will be submitted in both draft and final form. Two copies of the unbound draft reports will be submitted on or before January 2, 1998, and will be clearly marked as draft copies. The review draft final reports should be substantially complete. The draft version of the reports will be reviewed by the National Park Service. The National Park Service will furnish the contractor with review comments on the draft reports by January 15, 1998. The contractor will make any requested changes to the reports and submit it in final form by February 1, 1998. The final reports will be submitted in one camera-ready, reproducible (unbound) original, and seven bound paper copies. The final reports will be submitted in electronic form in *Microsoft Word* (Version 6.0) file format. If possible, all appendices and attachments will be submitted in the same file format.

All reports and correspondence will be submitted to Contracting Officer Florencia M. Wiles. Contracting Officer's Representative Kathleen L. Miller, Effigy Mounds National Monument will recommend final acceptance of the project.

## **Principal Investigator**

The Principal Investigator shall be responsible for all aspects of the research and report writing and production. If the reports are written by someone other than the Principal Investigator, the title pages shall bear the inscription "prepared under the supervision of (name), Principal Investigator." The Principal Investigator shall also prepare, as a minimum, a "Foreword" describing the context of the reports, the significance of the work, and any other background circumstances relating to the manner in which the work was undertaken. The individuals responsible for all or part of the reports shall be credited and directly identified where appropriate.

The Principal Investigator shall lead the research team, and the composition of any such team is at the discretion of the Principal Investigator.



**Appendix B**  
**Skeletal Analysis Report Acceptance**



United States Department of the Interior

NATIONAL PARK SERVICE

MIDWEST ARCHEOLOGICAL CENTER  
FEDERAL BUILDING, ROOM 474  
100 CENTENNIAL MALL NORTH  
LINCOLN, NEBRASKA 68508-3873

IN REPLY REFER TO:

April 7, 1987

S7227 (MWAC)


Ms. Shirley J. Schermer  
Office of the State Archaeologist  
Eastlawn  
University of Iowa  
Iowa City, Iowa 52242

Dear Ms. Schermer:

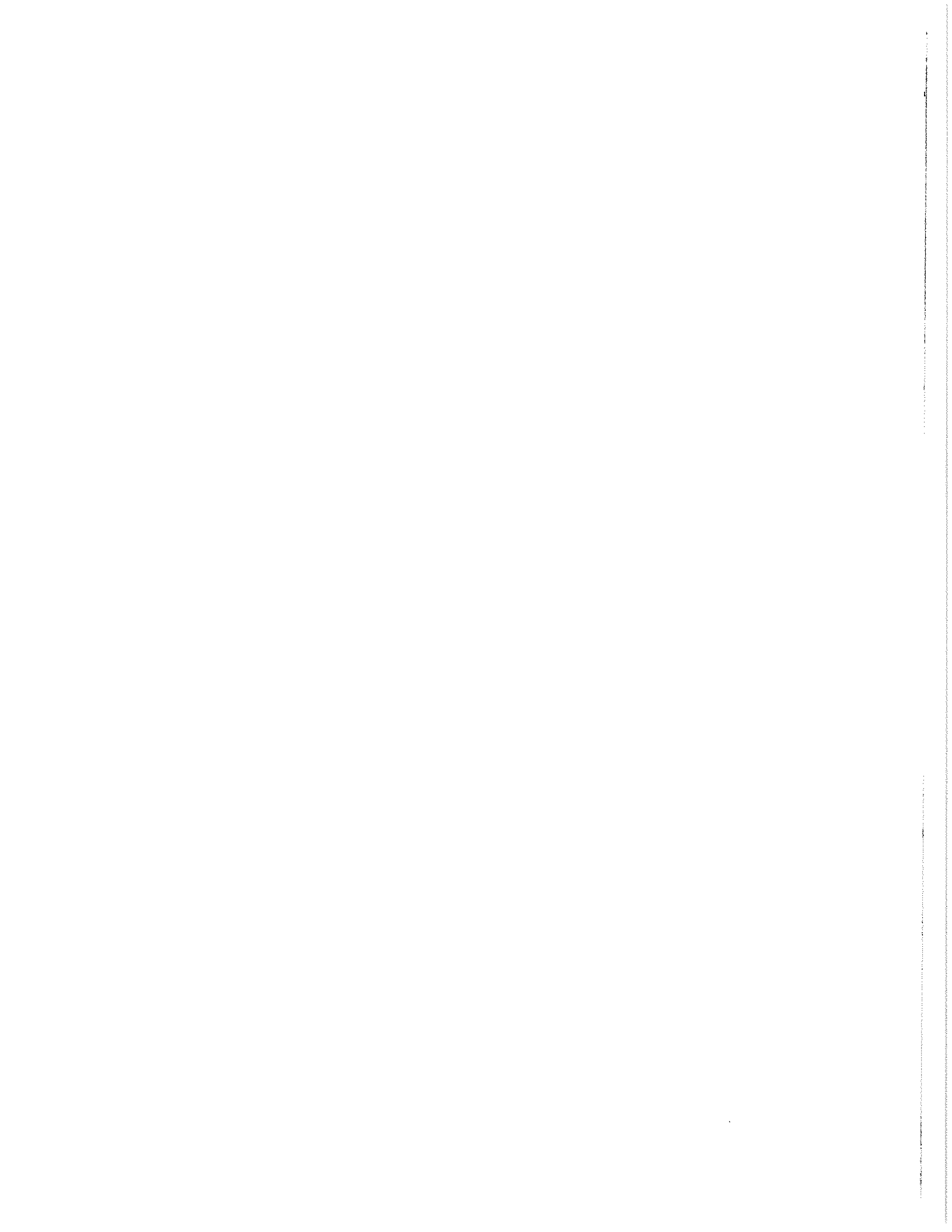
The Midwest Archeological Center has received and accepted the report on "The Analysis of Human Skeletal Remains from the Museum Collection at Effigy Mounds National Monument" by Alton K. Fisher and Shirley J. Schermer. Please submit an invoice for this work as soon as you return the specified collections to Effigy Mounds National Monument.

Thank you for your assistance in getting this project completed.

Sincerely,

  
F. A. Calabrese  
Chief

*See signature +  
date on  
original invoice  
form -  
returned 5/1/87*





## **Appendix C**

### **Accession 8 Skeletal Remains Loan Information**



IN REPLY REFER TO:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

Effigy Mounds National Monument  
(Park)

05/01/87

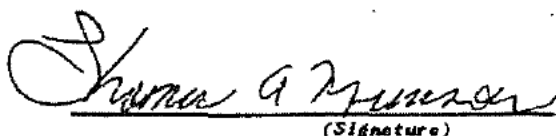
(Date)

Dear

We are lending you the items described below for the purpose of examination of cut marks on skull for the period of 4 months (05/01/87-09/01/87)

You are responsible for all items in the list. The utmost caution must be exercised in their use. They should be returned in the same condition they were lent.

LOAN EXTENDED TO 2/28/90.



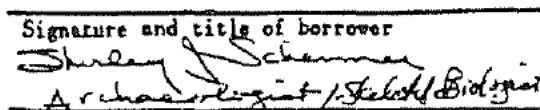
(Signature)

Thomas A. Munson, Superintendent  
(Title)

NO.	OBJECT	VALUE
4924	Human cranial fragment	
4929	Human cranial fragment	
4930 (2 parts)	Human cranial fragment	
4 additional	Human cranial fragment	

All from Accession 8

(Condition reports on back of this sheet must be filled in)

Signature and title of borrower  Archaeologist / Field Biologist	Name of organization, etc. Office of the State Archaeologist Univ. of Iowa	Date of receipt 5-1-87
---	--	---------------------------

TO BE FILLED IN BY LENDER ONLY

Date loan is to be returned: (If known)

Conditions of specimens being lent. (Examine each object carefully, describe any damage or weakened condition. Point out any special precautions necessary in handling. Keep a record photograph of important items as a check on condition.)

Fragmented cranial pieces (8)

Signature and title of lender

Date

James S. David, Chief, I&RM

5/1/87

TO BE FILLED IN BY THE BORROWER ONLY

Condition of specimens on receipt. (Photograph and report promptly any damage found in shipment.)

Fragmented cranial pieces (8)

Signature and title of borrower

Date

Shirley Schuman, Archaeologist/Skeletal Biologist-OSA

5/1/87

TO BE FILLED IN UPON RETURN OF LOAN

Condition of specimens on return. (Examine each object carefully. Describe any new damage. Record new damage by photograph.)

Signature and title of person receiving return of loan

Date

October 25, 1989

James David  
Effigy Mounds National Monument  
Box K  
McGregor, Iowa 52157

Dear Mr. David:

I visited Effigy Mounds on October 7 of this year to take photographs of the Fire Point Mound Group and Mound 33 and photographs of original maps in the collection to use for a paper I later presented at the Midwest Conference in Iowa City. Although it was a busy day in terms of visitors, the staff members were very helpful and I was able to find what I needed. Please relay my thanks to them. Enclosed is a negative that I was allowed to borrow in order to make a print for our files.

As I was preparing my conference paper, I ran across a loan form for 8 cranial fragments from Accession 8 that I realized were long overdue. I am still hoping to get SEM photographs of the cut marks on these fragments. Would it be possible to extend the loan agreement until February 1990? I apologize for this oversight on my part and am sorry if this will cause any problems at your end. A copy of the original loan form is enclosed.

My thanks again to the Effigy Mounds staff for their assistance.

Sincerely,

Shirley J. Schermer  
Project Director  
Burials Program

11

enclosures



# United States Department of the Interior

NATIONAL PARK SERVICE

EFFIGY MOUNDS NATIONAL MONUMENT

RR 1, BOX 25A

HARPERS FERRY, IOWA 52146

(319) 873-3491



IN REPLY REFER TO:

H2017

November 2, 1989

Shirley J. Schermer  
Project Director  
Burials Program  
The University of Iowa  
Iowa City, Iowa 52242

Dear Ms. Schermer:

Enclosed is a copy of the loan from on which we have shown the time extension. I did not think there was a need to rewrite the whole thing. It had crossed my mind a couple of times that those had not come back, but I had not found time to chase them down. It has not caused any problems on our end. We do look forward to seeing what you find on further examination.

Sincerely,

James S. David  
Chief, I&RM

Enclosure

February 28, 1990

James S. David  
Chief, I & RM  
Effigy Mounds National Monument  
R. R. 1, Box 25A  
Harpers Ferry, Iowa 52146

Dear Mr. David:

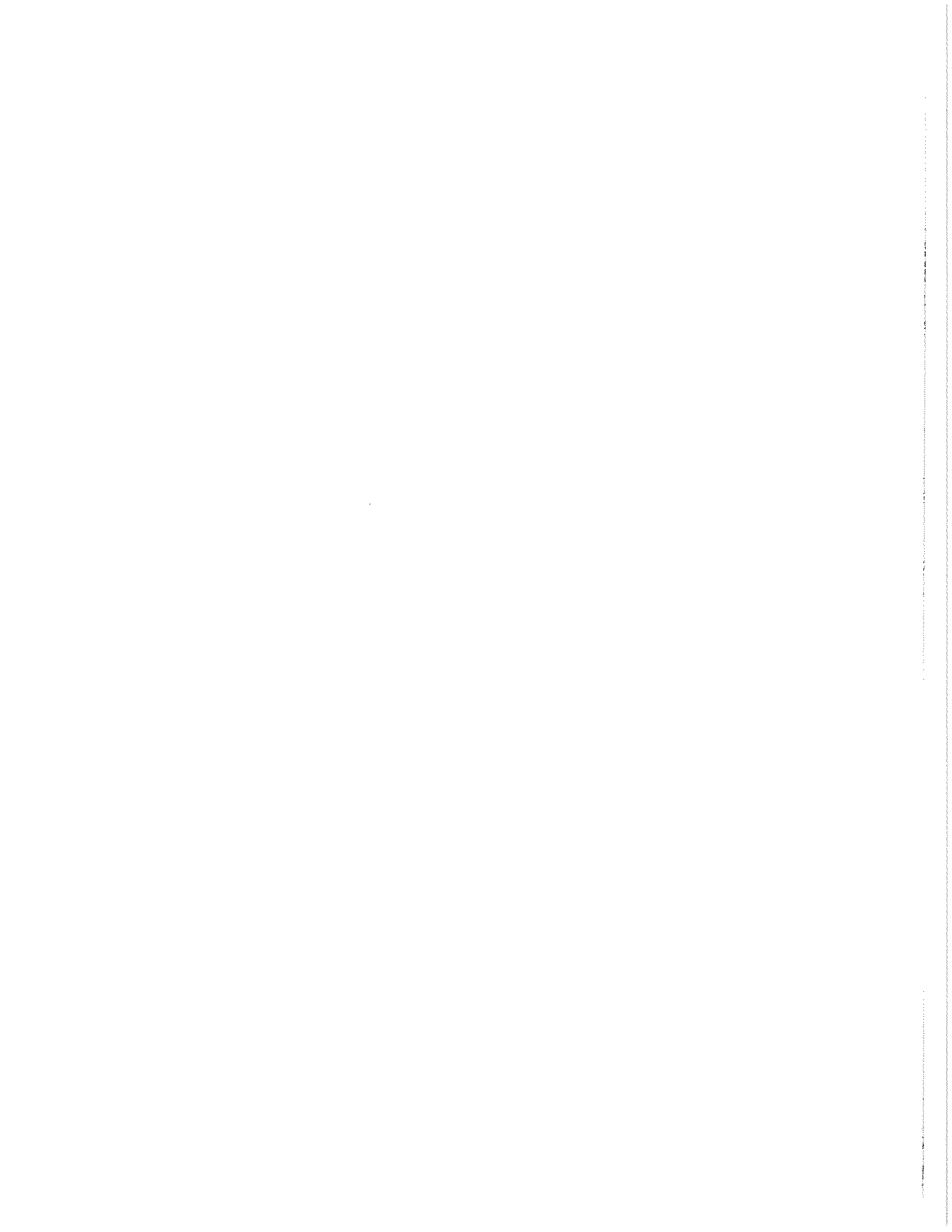
I am sending, via UPS, the remains listed on the attached loan form. A total of 420 cutmarks ranging in size from 0.22 mm to 1.15 mm were recorded on the cranial fragments of this individual. The number, size, and locations of these cutmarks suggest defleshing, probably as part of the burial treatment. Thanks for your cooperation in allowing further examination of this material.

Sincerely,

Shirley J. Schermer  
Project Director  
Burials Program

11

enclosure



**Appendix D**  
**Some Notes: Disposition of Human Remains**





United States Department of the Interior

NATIONAL PARK SERVICE  
EFFIGY MOUNDS NATIONAL MONUMENT

BOX K  
MCGREGOR, IOWA 52157  
(319) 873-2356

IN REPLY REFER TO:

H2017

September 5, 1986

Maria Pearson, Chair  
Iowa Indian Advisory Committee  
Box 98  
Marne, Iowa 51552

Dear Ms. Pearson:

We recently met with State Archeologist Duane Anderson and Mark Lynott of the National Park Service's Midwest Archeological Center. Following that meeting and several conversations, we are now ready to transfer all skeletal material, tentatively identified as human, to Dr. Anderson's office. There the material will be classified as to its human or non-human origin. This may take some time because much of it consists of small fragments.

Once the classification study has been completed all human material that originated outside the boundaries of the Monument will be ready to be returned to the Native American community for reburial. We believe that this will account for about 75% of the total. The State Archeologist's Office will work with you on this.

The remainder of the material, that which originated within the Monument's boundaries, will be returned to this office. We will work with you then toward locating its ultimate repository.

Sincerely,

Thomas A. Munson  
Superintendent

cc: ✓ State Archeologist  
Lynott, MWAC  
Hunter, MWRO

Most of the PX work did not result in archeological collections. The following projects are known (or are assumed) to have resulted in collections:

I would assume that the Ferguson Tract surveys (conducted by Mallam) resulted in artifact collections, but there are no accessions for those materials at MWAC. Since this tract is outside the park, the land owner is the rightful owner of any artifacts (unless he would have donated them to the NPS or Luther College).

The Luther College (Dale Henning) Sny Magill study and rockshelter testing project (PX 6115-7-0223) resulted in collections. MWAC has records from the project, including notes and other materials, but does not have the artifacts. The records are in MWAC Accession 433. These materials have been entered into ANCS. Human bone was recorded during this project, but the report indicates that the materials were not excavated, and were covered with soil after discovery. However, an artifact tabulation in the report lists the human bone fragments, indicating a slight possibility that some fragments may have been collected. According to Supt. Gustin's discussion with Luther College staff, the artifact collection from this PX appears to reside at the lab at Decorah.

During the 1990 Sny Magill looting study (Mounds 62 and 68, PX 6115-0-0117) -- a single artifact (chipped stone debitage) was collected. A letter in the PX file indicates that this artifact and all project records were sent to MWAC 4/11/91. I am still checking on this material.

The other Sny Magill looting study (Mound 43, PX 6115-1-0076, in 1991 resulted in collection of 15 human bone fragments sent to MWAC 12/91. There are part of MWAC accession 569. They are stored with MWAC Accession 35 (a bundle burial) in the vault. This accession has been cataloged.

\*\*\* One of the other purchase orders, although not resulting in collections, is worthy of note. PX 6115-6-0166 was for a study of the human remains in the park collections at EFMO. I note in a quick check of the Table Of Contents for this report that human skeletal remains are recorded for several EFMO accessions for sites within the park. Others are for material from sites outside the park. A letter in the PX file indicates a plan to arrange for repatriation of the non-park materials. I am wondering what happened to the numerous skeletal materials that are from park proveniences (i.e., park accessions 1, 5, 13, 53, 78, 106, 107, 109, and 111). \*\*\*



**Appendix E**  
**Skeletal Remains Investigations, 1995-1996**



## United States Department of the Interior

NATIONAL PARK SERVICE

Effigy Mounds National Monument

151 Hwy 76

Harpers Ferry, Iowa 52146-9744

IN REPLY REFER TO:

H22 (EFMO)

July 28, 1995

### Memorandum

To: Chief, Midwest Archaeological Center

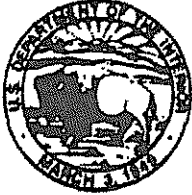
From: Superintendent, Effigy Mounds NM

Subject: NAGPRA Inventory

This memo is to inform you that we have searched our museum collection and have found no other human remains or associated funerary objects. The only items from Effigy Mounds are the bundle burial and incomplete set of human remains currently housed at MWAC.

*Karen Gustin*

Karen Gustin



## United States Department of the Interior

NATIONAL PARK SERVICE

Effigy Mounds National Monument

151 Hwy 76

Harpers Ferry, Iowa 52146-9744

IN REPLY REFER TO:

H22 (EFMO)

October 20, 1995

### Memorandum

To: Ethnography and NAGPRA Coordinators, Midwest  
Archaeological Center

From: Superintendent, Effigy Mounds

Subject: Call for Ethnography and NAGPRA Study Proposal

This memo is in response to your call of October 10, 1995 regarding NAGPRA study proposals. Please see attached for pertinent information.

*Karjaster*

Effigy Mounds (EFMO), located in northeast Iowa, is a prehistoric Woodland Indian site that dates back to approximately 500 B.C. to 1300 A.D. It contains almost 200 mounds - conical, linear, compound, and effigy. The tribes that historically lived in this area are the Winnebago and the Sac and Fox. None of these groups live adjacent to the park; all are approximately 200-800 miles away. These tribes are the: Sac and Fox Tribal Council in Tama, Iowa; Sac and Fox Tribal Council in Reserve, Kansas; Sac and Fox of Oklahoma Business Council in Stroud, Oklahoma; Wisconsin Winnebago Business Committee and Ho-Chunk Nation in Black River Falls, Wisconsin; and Winnebago Tribal Council in Winnebago, Nebraska.

Because EFMO interprets a prehistoric time period and culture, our Native American remains are culturally unidentifiable. However, these remains and objects, no matter how old, are Native American and should be treated according to the wishes of the Native American tribes that historically lived in this area. Decisions involving the disposition of these remains should be made by these Native American groups, in consultation with EFMO staff.

EFMO has two sets of remains that need consideration. The first is a bundle burial that was retrieved from the Marquette-Yellow River Mound Group about three miles south of park headquarters on a bluff just north of Marquette, Iowa. The bundle burial was excavated and then donated to the park's collection in the 1950s. Since the early 1970s it has been stored at the Midwest Archaeological Center (MWAC) in Lincoln, NE. The other set of remains is a set of bones that was retrieved from Mound 43 of the Sny Magill unit of the park. In 1991, vandalism occurred at this mound; during restoration work, the human remains were recovered. These remains are also stored at MWAC. The park also has approximately 50 items that are on the summary list.

Historically, and before my arrival a year ago, the park complied with NAGPRA regarding contact with tribal representatives. However, the majority of the contact has been by letter, and no real personal relationship has been established with the tribes. Just recently, on October 11 and 12, 1995, formal consultation did take place with David Smith, the NAGPRA Coordinator for the Winnebago Tribe in Nebraska, and I feel that Effigy Mounds is in the process of developing a face to face personal relationship with Mr. Smith as a representative of the tribe. No other attempts have been made to personally meet any of the other representatives mentioned in paragraph one.

This proposal is to fund consultation for summary, inventory and repatriation purposes with the Sac and Fox and Winnebago Tribes in order to comply with NAGPRA and to do justice to the remains that are within Effigy Mounds' collection. Because these tribes are being bombarded with NAGPRA requests (Mr. Smith alone stated that he had received 350 letters regarding Winnebago remains), written communication alone is not enough to satisfy the

requirements of NAGPRA consultation in order to be able to decide the disposition of these remains. Personal contact must be made. As mentioned earlier, none of the tribal contacts are immediately within the local community; all are 200-800 miles away, not very close to one another, and contacting each of them will require considerable travel. This proposal is to fund the travel in order to consult with tribal representatives. The breakdown is as follows:

1. Trip to Ames Iowa to meet with the Liaison to the governor for Indian Affairs in Ames, Iowa combined with trip to Tama, Iowa to consult with the Sac and Fox Tribal Council.

Approximate Cost: \$470.00

2. Trip to Reserve, Kansas to consult with the Sac and Fox Tribal Council.

Approximate Cost: \$500.00

3. Trip to Stroud, Oklahoma to consult with the Sac and Fox Oklahoma Business Council.

Approximate Cost: \$960.00

4. Trip to Black River Falls, Wisconsin to consult with the Ho-Chunk Nation and Wisconsin Winnebago Business Committee.

Approximate Cost: \$50.00

5. Trip to Winnebago, Nebraska to meet the Chairman of the Winnebago Tribal Council and continue consultation with NAGPRA Coordinator.

Approximate Cost: \$520.00

**TOTAL COST OF PROPOSAL: \$2500.00**



1/25/96

----- Message Contents -----

Tom and I talked with Supt. Gustin several times today regarding some NPS collections that appear to be at Luther College (we assumed the park had them, and the park didn't even seem to know that they existed). She has learned that Luther college still has artifacts from at least one of Dale Henning's projects (1987) and they (Luther College) are wondering what to do with them. She asked that I call the folks at Luther and see if they would be willing to do the ANCS on them. She gave me a list of a couple of purchase order ##s and asked that I track them down. I have now accomplished that. She asked for copies and for the ARPA permit for Staeck's work. Apparently, the park's files are pretty poor regarding these projects. I am getting all the stuff together and will send it to her tomorrow. I will keep you (and Supt. Gustin) apprised of what I learn about the Luther College stuff. So far, I believe that Henning's '87 materials (Sny Magill testing and 4 rock shelter testing) and the Staeck ARPA permit stuff are the only outstanding collections.

Jeff

1/29/96

----- Message Contents -----

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

[33] From: Jeff Richner at NP-MWAC 1/29/96 1:30PM (7029 bytes: 1 ln, 1 fl)  
To: Karen Gustin at NP--MWR  
: Mark Lynott, Vergil Noble, Michelle Watson  
Subject: EFMO purchase orders

----- Message Contents -----

Text item 1:

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

[35] From: Michelle Watson at NP-MWAC 2/6/96 10:06AM (755 bytes: 15 ln)  
To: Karen Gustin at NP--MWR  
Receipt Requested  
Subject: note on remains

----- Message Contents -----

Karen,

Hi!! A quick note on that report I phoned you about. On the introduction page, it states: "At the completion of this analysis, all human remains from sites within the Effigy Mounds National Monument will be returned to the Park Service. All human remains from sites outside Monument boundaries will be reinterred by the Office of the State Archaeologist in the state cemetery developed for that purpose."

So, with regards to your question of "Where are the remains?," they should be in collections.

Let me know what you find out. Call if I can help.

Many Thanks.

Adrian Hodson

↑  
Woods Park  
↓

length given back

to OSA

reentered books  
at Lincoln

two years from HWA

holding his own records

& submitting them to  
our collection

Jan

2/8/96

Shirley said the remains

found

at park - transferred

to Lincoln

that found out

to find out the park

of buried

remains - center  
cemetery in

402-437-5098

memo to  
file: reinter

2/8/96

Amber Ashmer →  
interred in  
NA cemetery in  
Dilligee cemetery

Carnival in - special  
use permit →

2/8/96 - Tom Munson said  
all remains were given to  
CSA - remains

2/8/96

Didn't want to  
MWA wanted some, but  
some didn't cooperate

Plow said -  
Our position was they were  
under our jurisdiction  
MWA had acc. to name

Remains  
{ Bob Nickel  
Mark Lynch - Did not want to return  
remains wanted to keep our  
collection →

2/8/96

Memorandum of Conversation(s)

On 2/8/96, I contacted Shirley Schermer from the Office of State Archaeology in regards to human remains analyzed 9/86. A report was prepared called "The Analysis of Human Skeletal Remains from the Museum Collection at the Effigy Mounds National Monument." This was done under PX-6115-6-0166. Twenty different accessions were analyzed, some retrieved from within the park, and some retrieved outside of the park. All at one time were part of EFMO's collection.

I asked Shirley what happened to the remains retrieved from outside the park. She said that they were reinterred in a state cemetery. She said the remains that were retrieved within the park were analyzed, then returned to Effigy Mounds, and she believes, were transferred to Lincoln.

I then talked with Tom Munson, the previous superintendent. At that time, he said that the park was working with Mark Lynott and Bob Nickel, who wanted to keep the remains in EFMO's collection. Tom's position as superintendent, was that he did not want any human remains under the park's jurisdiction. Tom said that Adrian Anderson (sp?) at the Office of State Archaeology was the person at the time that the park was dealing with. Tom said that everything was given back to the Office of State Archaeology for reinterment, or was sent to MWAC. Tom also mentioned that some items were kept by the OSA under a special use permit because there was some evidence of cannibalism. I did not confirm this with Shirley.

2/9/86

---

----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan Dial-Jones



[17] From: Karen Gustin at NP--MWR 2/8/96 3:20PM (2477 bytes, 10 l., 1 fl)  
To: Michelle Watson at NP-MWAC, Tom Thiessen at NP-MWAC, Jan Dial-Jones at NP-MWAC  
Subject: Status of Human Remains

----- Message Contents -----

Text item 1:

Hi to all of you - Attached is a wp file detailing my conversations with Shirley Schermer and Tom Munson. It was a little difficult talking with Tom - I think he was on a cellular phone and it was hard to hear him. I tried to concisely put together his thoughts.

Let me know what you find out. Thanks.

Karen

2/9/96-

According to Michelle, anything deaccessioned before NAGPRA was enacted does not require follow-up.

2/10/96

---

----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan

Yes - I think everything was returned to OSA and all of it is probably interred in one of their state cemeteries.

Karen

3/11/96

Items returned by OSA from WITHIN the park. Returned on 5/1/87

Accession 1, 5, 16, 53, 78, 106, 107, 109, 111

Accession 8 returned on 2/28/90

Asked Shirley for a list of accession numbers of remains collected outside the park and buried in one of the state cemeteries by OSA. (in letter)

Will then compare this w/ the two deaccess. forms we have for 1986 and 1990.

---

Items from OUTSIDE the park - reburied by OSA in eastern <sup>IA</sup> cemetery

Accession 13, 14, 48, 49, 50, 70, 87

Accessions 44 + 51 - not reburied, OSA is to receive addl. material for reburial

to add to the accessions  
Karnopp's mound Group came from site 47-20-5 in Wis.  
Accession 27 - transferred to State Hist. Society of Wis. in '87 for reburial in

CONCLUSIONS 3/25/96 -

Acc. 70 is on items collected outside park boundaries

Acc. 72 and Acc. 2 are deaccessioned from our lists, but don't appear on OSA's list  
items collected outside the park.

Acc 95 + Acc 132 - items collected outside the park + deacc. according to our files, but OSA does not have it listed on any of their lists, neither inside or outside

Acc 110 - listed as item collected w/in the park + deacc. by us,

---

## Deaccession Issue

- 1) 11/1971 loaned to MWAC see 28 pp. yellow pp. Accessioning + Cataloging (no return signature/date) on loan form.  
Included in "Loan of Specimens" file
- 2) 5/87 portions of Access 8 to Office of State Archeo. Uof IA returned to EFMO 3/90 (in closed file H2D17)
- 3) 4/1987 MWAC reviewed report by State Archeo. obj. returned to park
- 4) letters (NPS) regarding consultations pre NAGPRA (11/1986) and disposition of human remains
- \* 5) 10/1986 - 5/1987 loan of human remains to State Archeo. Note list of Access. are included on deacc-list. (2 copies of loan form in file)
- 6) 11/1986 letter from State Archeo w/changes (addition to loan items - human remains)  
- No indication on loan form whether materials were returned (?) (response)
- 7) 12/1986 letter from Maria Pearson to EFMO Supt re: human remains
- 8) letter 9/86 and D3-1 for analysis work done by State Archeo.
- 9) 8/86 letter from EFMO Supt to Maria Pearson re docs
- 10) could be that ~~the~~ human remains were reburied and deaccessioned after the fact.

11) WHITE PAPER 5/1985 re: disposition of  
HUMAN REMAINS

CMR for 86 and 90 should have deaccess. info

THE UNIVERSITY OF IOWA



MAR 11 1996

March 8, 1996

Karen Gustin, Superintendent  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, IA 52146

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	KG
Chief, I, VS & P	
Chief, Maint.	
Admin. Mgr.	
Res. Mgr.	
Admin. Clerk	

Dear Ms. Gustin:

I enjoyed meeting you yesterday. As you requested, I have enclosed copies of various correspondence concerning our analysis of the human remains from Effigy Mounds National Monument in 1986 and 1987, as well as a copy of the loan form with James David's signature acknowledging the receipt of the remains we were to return to Effigy Mounds, dated May 1, 1987. I have included copies of the inventories of the accessions that were returned. I looked through a number of files but could not find correspondence that the remains we returned to EMNM were transferred to Lincoln. I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the National Park Service did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln.

I hope this information will be helpful. Please call if you have any questions about the enclosed material.

Sincerely,

Shirley J. Schermer  
Burials Program Director



## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, Iowa 52146-7519

IN REPLY REFER TO:  
H22 (EFMO)

March 12, 1996

Shirley Schermer  
Burials Program Director  
Office of the State Archaeologist  
303 Eastlawn  
Iowa City, Iowa 52242-1411

Dear Shirley:

I too enjoyed meeting you last week. Thank you for providing me with copies of the correspondence you had on file concerning the human remains from Effigy Mounds in 1986 and 1987. Could you send me a list of the accession numbers for the remains that were collected outside the park and buried in the state cemetery? I am trying to make the accession numbers you have correspond to the accession numbers we have in our files for remains collected inside and outside of the park.

I appreciate your help.

Sincerely,

Karen Gustin  
Superintendent

THE UNIVERSITY OF IOWA

MAR 22 1996



AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	KS
<input type="checkbox"/> Chief, I. VS & P	
<input type="checkbox"/> Chief, Maint.	
<input type="checkbox"/> Admin. Mgr.	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Admin. Clerk	
<input type="checkbox"/>	
<input checked="" type="checkbox"/> OFFICIAL FILE	

March 20, 1996

Karen Gustin, Superintendent  
 Effigy Mounds National Monument  
 151 Hwy. 76  
 Harpers Ferry, IA 52146

Dear Karen:

According to our records, accession numbers 13, 14, 44, 48, 49, 50, 51, 70, 77, and 87 came from sites outside of the Effigy Mounds National Monument property boundaries and were reburied by OSA in our eastern cemetery except for accessions 14, 51, and 77. Accession 14, 13AM59, and Accession 51, 13WH35, have not yet been reburied, because we received additional material from these sites from other repositories just prior to the reburial of the other remains. The decision was made at the time to postpone reburial of the remains from these two accessions until the additional material was ready for reburial. The remains from these two sites are included in our NAGPRA inventories. Accession 77, Karnopp Mound Group, came from site 47-Cr-5 in Wisconsin. The human remains from this accession were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state.

Accession numbers 1, 5, 8, 16, 53, 78, 106, 107, 109, and 111 came from inside the EMNM boundaries and were returned to EMNM at the conclusion of our analysis and write-up. Let me know if you need more information.

Sincerely,

Shirley J. Schermer  
 Burials Program Director



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[20] From: Karen Gustin at NP--MWR 3/25/96 1:05PM (1955 bytes: 47 ln)  
To: Michelle Watson at NP-MWAC  
Subject: EFMO Accessions

----- Message Contents -----

Michelle - I have received more information from OSA regarding accessioned items collected from within and outside the park, their disposition, etc. Here are my findings:

These are notes from OSA files:

Items returned by OSA from within the park - returned on 5/1/87  
Accession numbers 1,5,16,53,78,106,107,109,111  
Accession 8 returned on 2/28/90

Items collected from outside the park, reburied by OSA in an eastern IA cemetery.  
Accession 13,14,48,49,50,70,87  
Accessions 44 and 51 - not reburied, OSA is to receive addl material to add to reburial  
Accession 77 - Karnopp Mound Group came from site 47CR5 in Wisconsin, transferred to State Historical Society in Wisconsin in 87 for reburial in Wisconsin.

After comparing the above notes, which came from Shirley Schermer, with EFMOs deaccession records, my findings are:

Acc 72 and Acc 2 are items collected outside the park and deaccessioned from our collection, but they do not appear on OSA's list of items collected from outside the park.

Acc 95 and Acc 132 are items collected outside the park and deaccessioned according to our files, but OSA does not have them noted on any of their lists as coming from inside or outside the park.

Acc 110 are items collected within the park and deaccessioned by us, but they are not on OSA's list as items returned to the park.

This should account for all the accession numbers on OSA's list and our deaccession records. As we talked on the phone, we are unsure of the location of the items collected from within the park and deaccessioned from our collection in July 1990.

Let me know if we need to do anything else.

Karen

(b) (6), (b) (7)(C) - I'd like this  
filed w/ other copies of  
letters from Shirley  
Schermer, our  
deacc. records, etc,  
but not sure which  
file code to use.

YMS -

R

---

----- Message Contents -----

5/9/96

Jeff and Karen,

As time goes on, we will probably continue to have this type of situation occur, especially as museums finish going through their collections to finish their NAGPRA inventory responsibilities.

I am assuming that there is no "cultural affiliation" tag that can be placed on either the remains or the site they came from. If so, then we will have to amend the "culturally unidentifiable" list that was submitted on behalf of EFMO to the DCA (who is responsible for transmitting it to the NAGPRA Review Committee, who is responsible for reviewing such lists and making recommendations as to disposition to the Sec. of the Interior).

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Jeff, I would recommend that we pulltogether the information to put into the data categories required for the inventory. We'll have to leave the NPS accession numbers blank for now, unless Carolyn has any ideas there. Everything else required for the data categories should be readily accessible from the material at MWAC or the archeology report(s). We can forward a copy of EFMOs current inventory if anyone doesn't have it (to see what information is required).

We can work with the park, and Carolyn if necessary, to pull the amendment together. But, I don't want to be presumptuous and just do it, with out Karen's (and everyone else's) concurrence.

If none of this makes sense, give me a call.

Mike

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Subject: Additional human remains from EFMO

Author: Jeff Richner

Date: 5/7/96 3:24 PM

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The notes and records for this project were transferred to MWAC from Luther College and have been accessioned and entered into ANCS. However, the artifact collection has resided at Luther College since the completion of fieldwork. The artifacts have not been entered into the ANCS. Given the recent "rediscovery" of the collection, I assume that these human remains were not among the materials reported by the park for NAGPRA. Further, they are not part of the "deaccessioned" EFMO collections that have been the subject of recent discussions.

I told White that I would alert the park Superintendent and the appropriate NPS NAGPRA Coordinator to this discovery and asked him to maintain the collection at Luther until advised otherwise.

Jeff Richner

5/17/96

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Jeff Richner

Jeff - Thanks for seeing to the above. As you probably know, I am on maternity leave until June 17. When I return, I want to try to tie up these loose ends. I'll probably contact you then, and we can discuss. Again, thanks.

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Future action, scheduling, etc. is completely up to you and Karen. I just wanted everyone to know what I had learned about the collection. As a follow-up to your recent cc:mail message, the paper records for the subject project have already been accessioned, so it would seem to me that the artifact collection should be subsumed under that existing accession.

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Author: Michael J Evans at NP-MISS  
Date: 05/12/96 05:22 PM

5/12/96

Jeff and Karen,

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Mike

*Jeff Richner to  
Michael Evans*

5/11/96

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Karen

5/24/96

Mardi,

You may want to tap into the expertise at MWAC relative to the cataloging of the Orr "archives." While there may be need for an archivist for the project, it would seem that there is also a need for someone with an archeological background to help organize those materials for cataloging.

Jeff



## List of Purchase Orders for EFMO archeological projects:

#	Description	Vendor	Date
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PX 6115-0-135A	Ferguson Survey 2	Luther Coll.	9/80
PX 6115-6-0166	Skeletal Analysis	U. Iowa	9/86
PX 6115-6-0201	Aerial Photos	Aerial Serv.	9/86
PX 6115-7-0214	Mapping	Chuck's Surv.	9/87
PX 6115-7-0223	Sny Magill & rocksh.	Luther Coll.	9/87
PX 6115-7-0224	Geomorphology	Iowa DNR	9/87
PX 6115-7-0225	Land Use History	Oneota Ent.	9/87
PX 6115-8-0142	Constr. map grid	Luther Coll.	5/88
PX 6115-8-0143	S. Magill mag. survey	Medynski	5/88
PX 6115-0-0117	S. Magill looting	Luther Coll.	8/90
PX 6115-1-0076	S. Magill looting	Luther Coll.	7/91

Most of the PX work did not result in archeological collections. The following projects are known (or are assumed) to have resulted in collections:

I would assume that the Ferguson Tract surveys (conducted by Mallam) resulted in artifact collections, but there are no accessions for those materials at MWAC. Since this tract is outside the park, the land owner is the rightful owner of any artifacts (unless he would have donated them to the NPS or Luther College).

The Luther College (Dale Henning) Sny Magill study and rockshelter testing project (PX 6115-7-0223) resulted in collections. MWAC has records from the project, including notes and other materials, but does not have the artifacts. The records are in MWAC Accession 433. These materials have been entered into ANCS. Human bone was recorded during this project, but the report indicates that the materials were not excavated, and were covered with soil after discovery. However, an artifact tabulation in the report lists the human bone fragments, indicating a slight possibility that some fragments may have been collected. According to Supt. Gustin's discussion with Luther College staff, the artifact collection from this PX appears to reside at the lab at Decorah.

During the 1990 Sny Magill looting study (Mounds 62 and 68, PX 6115-0-0117) – a single artifact (chipped stone debitage) was collected. A letter in the PX file indicates that this artifact and all project records were sent to MWAC 4/11/91. I am still checking on this material.

The other Sny Magill looting study (Mound 43, PX 6115-1-0076) in 1991 resulted in collection of 15 human bone fragments sent to MWAC 12/91. There are part of MWAC accession 569. They are stored with MWAC Accession 35 (a bundle burial) in the vault. This accession has been cataloged.

\*\*\* One of the other purchase orders, although not resulting in collections, is worthy of note. PX 6115-6-0166 was for a study of the human remains in the park collections at EFMO. I note in a quick check of the Table Of Contents for this report that human skeletal remains are recorded for several EFMO accessions for sites within the park. Others are for material from sites outside the park. A letter in the PX file indicates a plan to arrange for repatriation of the non-park materials. I am wondering what happened to the numerous skeletal materials that are from park proveniences (i.e., park accessions 1, 5, 16, 53, 78, 106, 107, 109, and 111). \*\*\*



**Appendix F**  
**Skeletal Remains: Luther Collections**

1/25/96

----- Message Contents -----

Tom and I talked with Supt. Gustin several times today regarding some NPS collections that appear to be at Luther College (we assumed the park had them, and the park didn't even seem to know that they existed). She has learned that Luther college still has artifacts from at least one of Dale Henning's projects (1987) and they (Luther College) are wondering what to do with them. She asked that I call the folks at Luther and see if they would be willing to do the ANCS on them. She gave me a list of a couple of purchase order #s and asked that I track them down. I have now accomplished that. She asked for copies and for the ARPA permit for Staeck's work. Apparently, the park's files are pretty poor regarding these projects. I am getting all the stuff together and will send it to her tomorrow. I will keep you (and Supt. Gustin) appraised of what I learn about the Luther College stuff. So far, I believe that Henning's '87 materials (Sny Magill testing and 4 rock shelter testing) and the Staeck ARPA permit stuff are the only outstanding collections.

Jeff

1/29/96

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----- Message Contents -----

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

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2/9/96

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2/9/94

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Yes - I think everything was returned to OSA and all of it is probably interred in one of their state cemeteries.

Karen

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**Appendix G**  
**Deaccession Lists, 1986, 1990**

Deaccessioned catalog numbers - 10/07/86

(6:7)

Acc. 70

4083	4161	4268	4315	4350	4379	4494
4109	4162	4279	4316	4351	4382	4495
4110	4170	4290	4318	4352	4383	4497
4111	4171	4291	4319	4353	4390	4499
4112	4172	4292	4320	4354	4393	4501
4113	4173	4293	4322	4355	4398	4506
4114	4187	4294	4323	4356	4399	4526
4115	4188	4295	4325	4357	4444	4527
4116	4190	4296	4326	4358	4445	4531
4117	4191	4298	4327	4359	4446	4532
4118	4210	4299	4328	4360	4448	4533
4119	4212	4300	4329	4361	4455	4538
4120	4213	4301	4333	4362	4457	4540
4121	4215	4302	4334	4363	4464	4543
4122	4218	4303	4335	4364	4468	4547
4125	4219	4304	4338	4365	4472	4550
4126	4221	4305	4339	4366	4473	
4129	4223	4306	4340	4367	4474	
4130	4224	4307	4341	4368	4475	
4132	4227	4308	4342	4369	4478	
4134	4230	4309	4343	4370	4479	
4135	4236	4310	4344	4371	4480	
4137	4242	4311	4345	4372	4483	
4138	4246	4312	4346	4373	4489	
4140	4249	4313	4347	4376	4490	
4147	4252	4314	4348	4377	4493	

Acc. 13 - 341, 342

Acc. 72 - 591

Acc. 87 - 515-577, 581

Acc. 49 - 2996, 2997, 3026, 3087, 3132, 3021, 3115

Acc. 48

5817	5855	5866
5818	5857	5868
5821	5858	5869
5827	5859	5871
5848	5860	5872
5849	5861	
5850	5863	
5851	5864	
5852	5865	

Acc. 2  
514

Also deaccessioned are uncataloged portions of Accession numbers 14, 44, 48, 50, 51, and 77.

Deaccessioned catalog numbers - 7/30/90

Acc. 8

4846	5032	4789	4962	4769	5051	5636	5076
5481	5231	5042	4961	4861	5056	4963	5001
4820	5477	4920	4955	5017	5394	5393	4959
5589	5124	5047	4956	5221	5516	4960	4928
4929	4972	5099	4953	5091	5479	5100	4849
4924	4971	5434	4951	4692	4927	4594	4816
4930	4970	5072	4952	5000	4954	5236	4800
4980	5127	4939	4950	5089	5190	4889	4790
4679	5200	4925	4949	5041	4600	4822	
4593	5227	4715	4947	5090	4870	4817	
5028	5097	5189	4946	5088	5112	4806	
5474	5038	5188	4945	5555	5113	4801	
5475	4788	5707	5105	4606	5114	4884	
5473	4791	5362	5106	5341	5115	4958	
5476	4795	5220	5179	4638	5116	5014	
5482	5153	5239	4659	4592	5117	4878	
5484	4633	5695	5101	4859	5118	5002	
5483	5147	5430	5379	5025	5122	5104	
5478	5021	4885	5102	5034	5119	5109	
5471	5156	4998	5018	5033	4965	5148	
5486	4694	5594	5582	5020	4867	5213	
5121	4981	5520	5187	5019	4964	5558	
5586	5093	5026	5180	5016	4779	5706	
5096	4691	4869	5181	5013	4773	5694	
4966	4685	4696	5132	5012	4776	5317	
5225	4686	5494	5219	4619	5378	5212	
5206	5233	5108	5107	5123	4848	5144	
4940	5232	5427	5103	5480	4847	5111	
5425	5428	5426	4775	5098	4845	5077	

Acc. 16

642	638	1656	648	652	656
641	637	645	649	653	657
640	643	646	650	654	
639	644	647	651	655	

Acc. 95

1940 1941

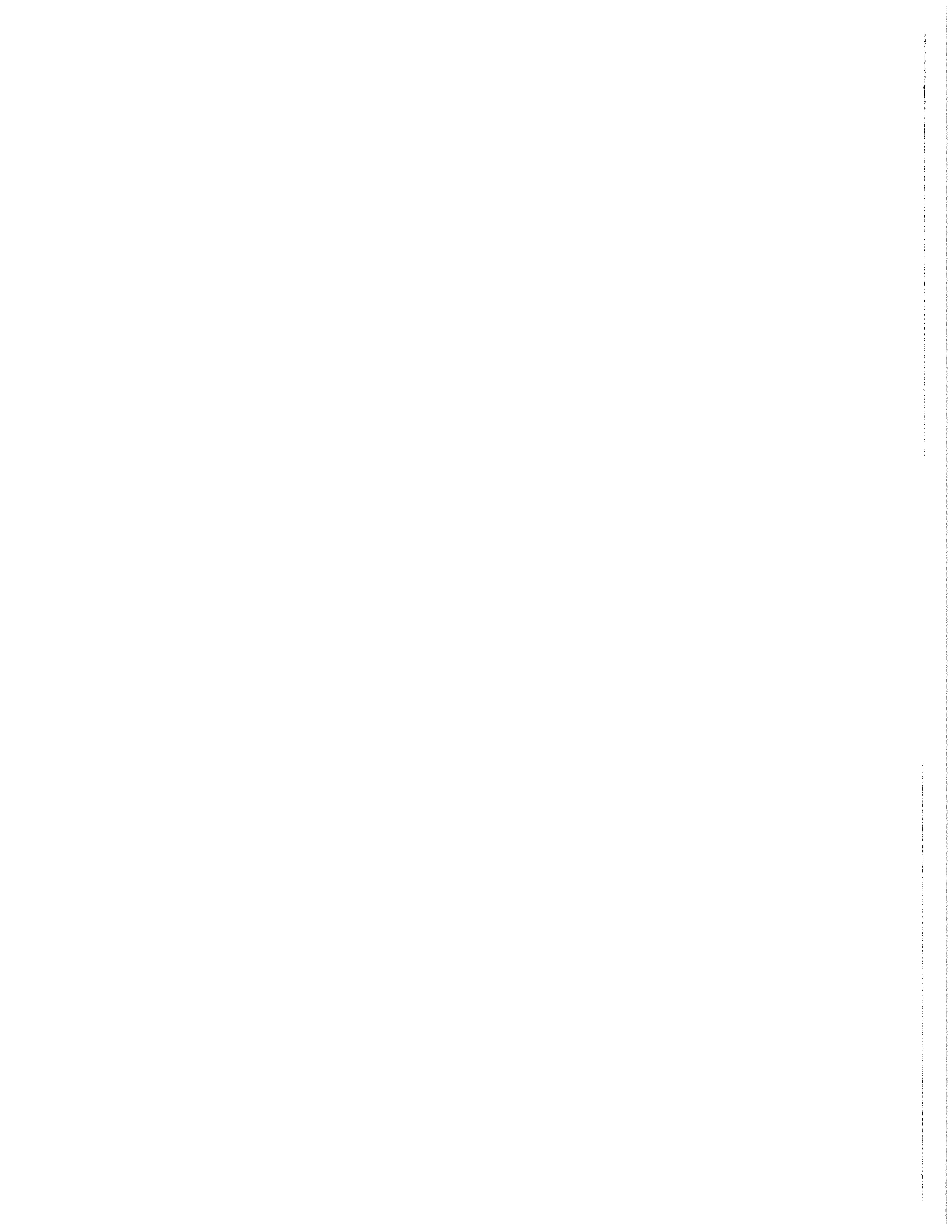
Acc. 132 - 7249, 733/

Acc. 5 - 3929

Acc. 70

4551

Also deaccessioned are uncataloged portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107, 109, 111, and 132.



**Appendix H**  
**Skeletal Remains Analyzed, Office of the State Archeologist**



# United States Department of the Interior

## NATIONAL PARK SERVICE

EFFIGY MOUNDS NATIONAL MONUMENT

BOX K

McGREGOR, IOWA 52157

(319) 873-2356

IN REPLY REFER TO:

H2017

October 7, 1986

Ms. Shirley Schermer  
Office of the State Archaeologist  
Eastlawn Building  
University of Iowa  
Iowa City, IA 52242

Dear Ms. Schermer:

Enclosed are two copies of our loan form for the human remains that you picked up. There are two places on it that need your, or someone from your office, signature. One is on the front of the form, the other is on the back where you indicate the condition upon receipt. If you would please sign these and return one copy to us, the other is for your records. This will take care of the paper end of things.

If you are needing any more information on the various accessions or any other items please give me a call and I will be of whatever help I can.

Sincerely,

James S. David  
Chief, I&RM

Enclosure



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

Effigy Mounds National Monument  
(Park)

10/7/86

(Date)

Dear

We are lending you the items described below for the purpose of meeting the requirements of P.O. PX6115-6-0166 for the period of seven months (October 1, 1986 - May 1, 1987).

You are responsible for all items in the list. The utmost caution must be exercised in their use. They should be returned in the same condition they were lent.

Except as provided in the above mentioned P.O. from the Midwest Archeological Center.

*Thomas A. Munson*  
(Signature)

Thomas A. Munson, Superintendent  
(Title)

NO.	OBJECT	VALUE
341, 342 (Accession 13)	Human Cranium and Mandible	
515-577, 581, 591 (Accession 87)	Bone	
637-644, 1656 (Accession 16)	Bone	
3929 plus two 3"x3½" boxes (Accession 5)	Bone (Mound 7 Sny Magill)	
Accession 1 - nine sacks	Bone from Mound 55 (numerous bones marked AH47)	
Accession 77 - one 7½"x11½" box	Bone	
Accession 50 - one skull, one sack with 3 bones, one sack fragments		
Accession 53 - twelve sacks fragments, one sack 29 fragments	Bone (Mound 18)	
Accession 107 - one sack with 21 fragments	Bone (Mound 39)	
Accession 51 - one skull plus approximately 30 fragments	Bone	
Accession 111 - one sack with 5 fragments	Bone (Mound 41)	
Accession 109 - twenty-four sacks	Bone (Mound 38)	
- Accession 78 - <del>Five bones (2-3½"x3", 2-3½"x5", 1-7½"x11½")</del> plus one sack with <del>80 fragments</del> Bone (Mound 12) <del>four sacks (each bone frag. 3" long)</del>		
Accession 106 - one box (10½"x17½"x5" deep)	Bone (Mound 33)	
Accession 14 - three boxes (15½"x8½", 11½"x8", 10"x13") plus one sack (Elephant Site)	Bone	
Accession 44 - one box (11½"x17")	Bone	

(Plus items listed on attached sheets)

(Condition reports on back of this sheet must be filled in)

Signature and title of borrower	Name of organization, etc.	Date of receipt
<i>Shirley Schaefer</i>	Office of State Archeologist	11/13/86



TO BE FILLED IN BY LENDER ONLY

Date loan is to be returned: (If known) May 1, 1987

Conditions of specimens being lent. (Examine each object carefully, describe any damage or weakened condition. Point out any special precautions necessary in handling. Keep a record photograph of important items on condition.)

The vast majority of the bones were fragmentary and in poor condition.

Catalog numbers  
Bone  
Catalog numbers  
5861-5861

Signature and title of lender <i>James S. David</i> James S. David, Chief, I&RM	Date 10/7/86
---	-----------------

TO BE FILLED IN BY THE BORROWER ONLY

Condition of specimens on receipt. (Photograph and report promptly any damage found in shipment.)

The vast majority of the bones were fragmentary and in poor condition.

Signature and title of borrower <i>Shirley J. Schamer</i> - Archaeologist/Skeletal Biologist	Date 11/13/86
---	------------------

TO BE FILLED IN UPON RETURN OF LOAN

Condition of specimens on return. (Examine each object carefully. Describe any new damage. Record in photograph.)

Signature and title of person receiving return of loan <i>James S. David</i> Chief I & RM	Date 5/6/87
--	----------------

poor condition.

of required ca  
important items ar

Catalog numbers 2996, 2997, 3026, 3087-3105, <sup>3106</sup> 3107-3132 (Accession 49)  
Bone

Catalog numbers 5817, 5818, 5821, 5827, 5848-5852, 5855, 5857-5861,  
5863-5866, 5868, 5869, 5871, 5872 (Accession 48) Bone  
Accession 48 - two skulls, one sack of 5 fragments, one sack  
many fragments Bone

NOTE: Material from accession numbers 1, 5, 8, 16, 53, 78, 106, 107,  
109, and 111 are from sites within the monument. Those and any  
non-human bones from the other accessions are all that are  
required to be returned to the monument.

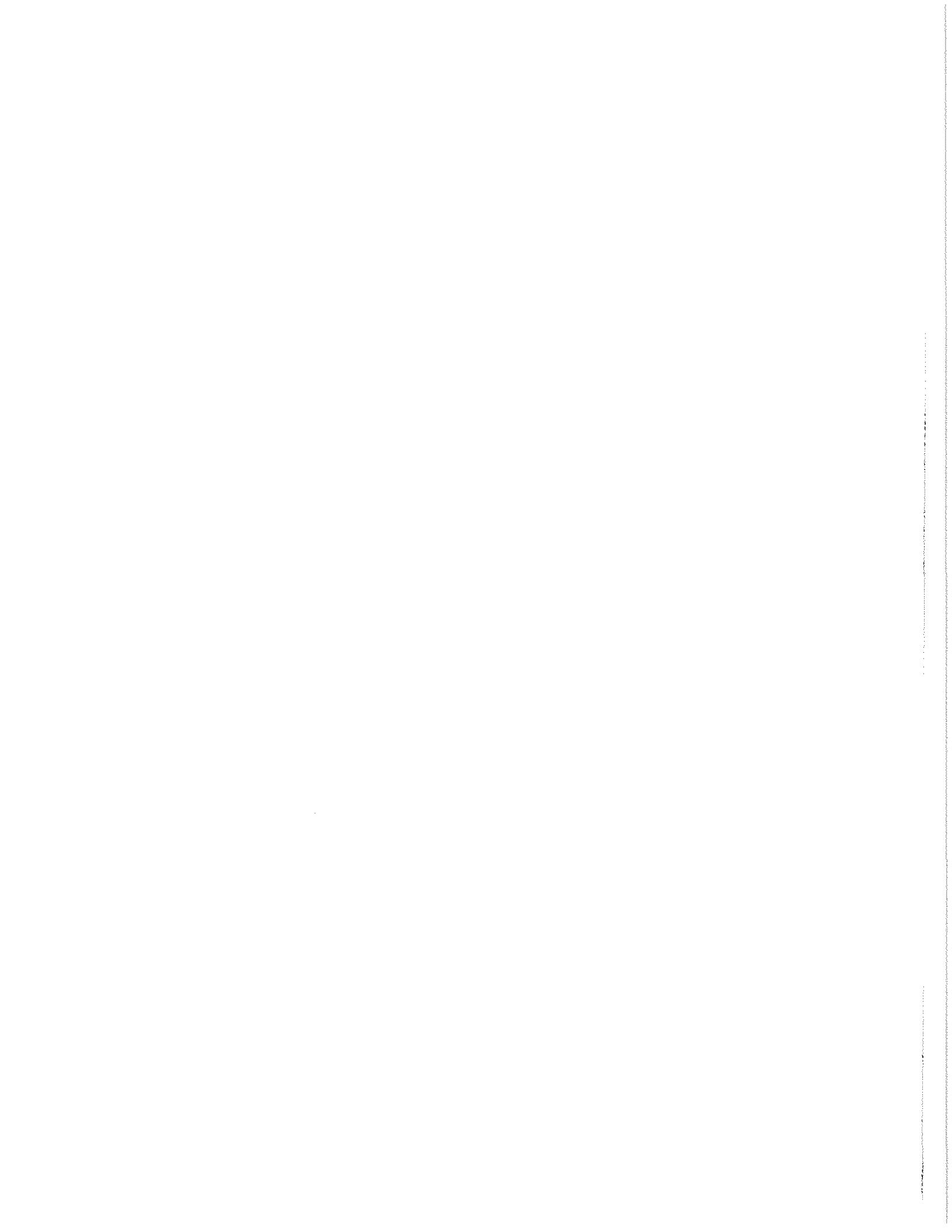
*See enclosed  
inventories of these  
accessions  
[from our report  
prepared for EMNH -  
OSA CCR 245*

ion 8 catalog numbers

- 52  
53
- ✓ 4594
  - ✓ 4600
  - ✓ 4606
  - ✓ 4633
  - ✓ 4638
  - ✓ 4652-4679
  - ✓ 4685
  - ✓ 4686(2) "
  - ✓ 4691
  - ✓ 4692(5) III
  - ✓ 4696(4) III
  - ✓ 4715
  - ✓ 4769
  - ✓ 4773
  - ✓ 4775(2) "
  - ✓ 4776
  - ✓ 4779(2) "
  - ✓ 4788
  - ✓ 4789
  - ✓ 4791
  - ✓ 4795(2) "
  - ~~4795~~
  - ✓ 4801
  - ✓ 4806
  - ✓ 4817
  - ✓ 4820(5) III
  - ✓ 4822
  - ✓ 4845
  - ✓ 4846
  - ✓ 4847
  - ✓ 4848 (4) III
  - ✓ 4849
  - ✓ 4859
  - ✓ 4861(2) "
  - ✓ 4867
  - ✓ 4869
  - ✓ 4870
  - ✓ 4878
  - ✓ 4884
  - ✓ 4885
  - ✓ 4889
  - ✓ 4920(2) "
  - ✓ 4924
  - ✓ 4925
  - ✓ 4927
  - ✓ 4928
  - ~~4928~~
  - ✓ 4929
  - ✓ 4930(3) "
  - ~~4930~~
  - ✓ 4939
  - ✓ 4940
  - ✓ 4945(2) "
  - ✓ 4946(2) "
  - ✓ 4947
  - ✓ 4949(2) "
  - ✓ 4950(2) III "
  - ✓ 4951(2) "
  - ✓ 4952(2) "
  - ✓ 4953
  - ✓ 4954
  - ✓ 4955(3) III
  - ✓ 4956
  - ✓ 4958
  - ✓ 4959
  - ✓ 4960
  - ✓ 4961
  - ✓ 4962(2) "
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  - ✓ 4963
  - ✓ 4964(2) "
  - ~~4964~~
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  - ✓ 4972
  - ✓ 4980
  - ✓ 4981(2) "
  - ✓ 4998(2) "
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  - ✓ 5000
  - ✓ 5002
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  - ✓ 5018
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  - ✓ 5025
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  - ✓ 5042
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  - ✓ 5051(3) III
  - ✓ 5056
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  - ✓ 5093(6) III
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  - ✓ 5482
  - ✓ 5483
  - ✓ 5484(3) III
  - ✓ 5486
  - ✓ 5494
  - ✓ 5516
  - ✓ 5520
  - ✓ 5555(2) "
  - ✓ 5582
  - ✓ 5586
  - ✓ 5589(2) "
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  - ✓ 5636
  - ✓ 5695
  - ✓ 5707
- A8
- one sack skull fragments

on 70 catalog numbers

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**Appendix I**  
**Correspondence, Devil's Den Bundle Burial**



October 12, 1994  
Columbia Mo 65201

Dear Michelle,

The excavation field notes you sent me October 3 were made by me while I was stationed at EFMO in 1957 or 1958. I packed the bundle of bones, and they were part of an exhibit in the museum at EFMO for several (?) months prior to the time that all such exhibits were removed from NPS care. I recognize the notes for sure but do not remember that I had any assistance (Bleshwell, Kyle, Thompson) in the project. Neither do I remember the term "Devil's Den" was used with reference to the place. I did not name it but do remember the exact location of the site. The location was derived from a USGS Quadrangle map.

Yours Sincerely,  
Robert (Bob) Bray





# United States Department of the Interior

## NATIONAL PARK SERVICE

Midwest Archeological Center  
Federal Building, Room 474  
100 Centennial Mall North  
Lincoln, Nebraska 68508-3873

IN REPLY REFER TO:

October 3, 1994

H2217 (MWAC)

Robert Bray

(b) (6), (b) (7)(C)

Columbia, Missouri 67501

Dear Mr. Bray:

Per our telephone conversations on September 29 and 30, enclosed are copies of the field notes I told you about. As I explained, we have a bundle burial in our holdings and have no documentation about it. We do not know the site it is from, nor when or by whom it was excavated. We are attempting to determine if these notes relate to the bundle burial, which is partially encased in plaster and was apparently exhibited at Effigy Mounds some time in the past. Page four of these notes identifies a bone bundle from Mound #1 of Devils Den Mound Group. We would like to know if this bone bundle is the bundle burial we have, and hope the enclosed notes might refresh your memory of the Devils Den work or the burial that was once exhibited at Effigy Mounds.

We were very sorry to learn about Wil Logan ourselves, and thought you might want to know. We look forward to hearing from you. Please do not hesitate to telephone us if you should have questions at 402-437-5392. If I am not in, please ask to speak with Tom Thiessen.

Thank you for your cooperation and time.

Sincerely,

  
Michelle L. Watson

Enclosure

MWATSON/lz/LOGAN/10/3/94

# FILE COPY

H14

10/21/94

## Memorandum

To: Park Files, Effigy Mounds NM  
From: Administrative Clerk, (b) (6), (b) (7)(C)  
Subject: Bundle Burial formerly on exhibit at EFMO

During October, 1994 I did some research in regards to the bundle burial that was formerly on display at Effigy Mounds National Monument. This research, I hope will clear up some of the confusion surround the acquisition, exhibition, and disposition of the bundle burial that came to be known by park employees as "Charlie". Copies of all referenced maps, memorandum, etc. are attached.

The paper trail starts with reference in Ellison Orr's manuscript, Volume XII. Orr mentions a group of three conical mounds - Marquette-Yellow River Mound Group No. 2. - that he did a reconnaissance survey of in 1907 and again in 1915 with Charles F. Pye. These mounds were located on a prominent point overlooking the Mississippi River in Clayton county. Orr does not list the section and township numbers but he does show the demarcation of the Basil Giard claim as being slightly south of the three conicals. Comparing Orr's drawing to present day maps this would place the mound group in Section 15, T95N, R3W, approximately 2 miles south of present day EFMO boundaries. Orr lists the prominent point as being "Prospect Point".

In the archeological files I found excavation notes by Robert T. Bray. In the folder labeled "Marquette-Yellow River Mound Group #2 - Excavation notes are seven sheets of fine-lined graph paper with pencil notes and sketches. The "first sheet" says simply "Notes on the excavation of 2 conical mounds on bluff just north of Marquette." The "second sheet" (labeled page one) is a sketch of a mound. Important notes on this include the first reference to the mounds being called "Devils Den Mound Group". Bray also lists the legal description as SE, NW, S15, T95N, R3W, Clayton County. The notes also indicate the excavation was done by Bray, Blackwell (Ralph), Kile (Robert), and Thompson (Dave??) on June 10, 1957.

Reference is made on page three of the principle owner as Milo Moody, McGregor, IA with no previous record located.

The last three pages give information on Mound No. 2 excavation. Significant notes include the drawing of a bone bundle in the mound excavation drawing. The mound is also noted as being part of Devils Den Mound Group. The excavation took place on June 19-21, 1957; again by Bray, Blackwell, Kile, and Thompson. The last page notes the bone bundle consisting of 31 long bones came from square 2, DD41" (top). The bone bundle was also jacketed with a plaster cast and removed to the monument headquarters.

EFMO's accession book was scanned to see whether any of the above information was present in any of the accessions. Accession 12 listed an acquisition date of June 20, 1957. Further investigation revealed that archeological material from a mound excavation was accession into the monument collection. The material was received from Robert T. Bray and Milo Moody as a gift.

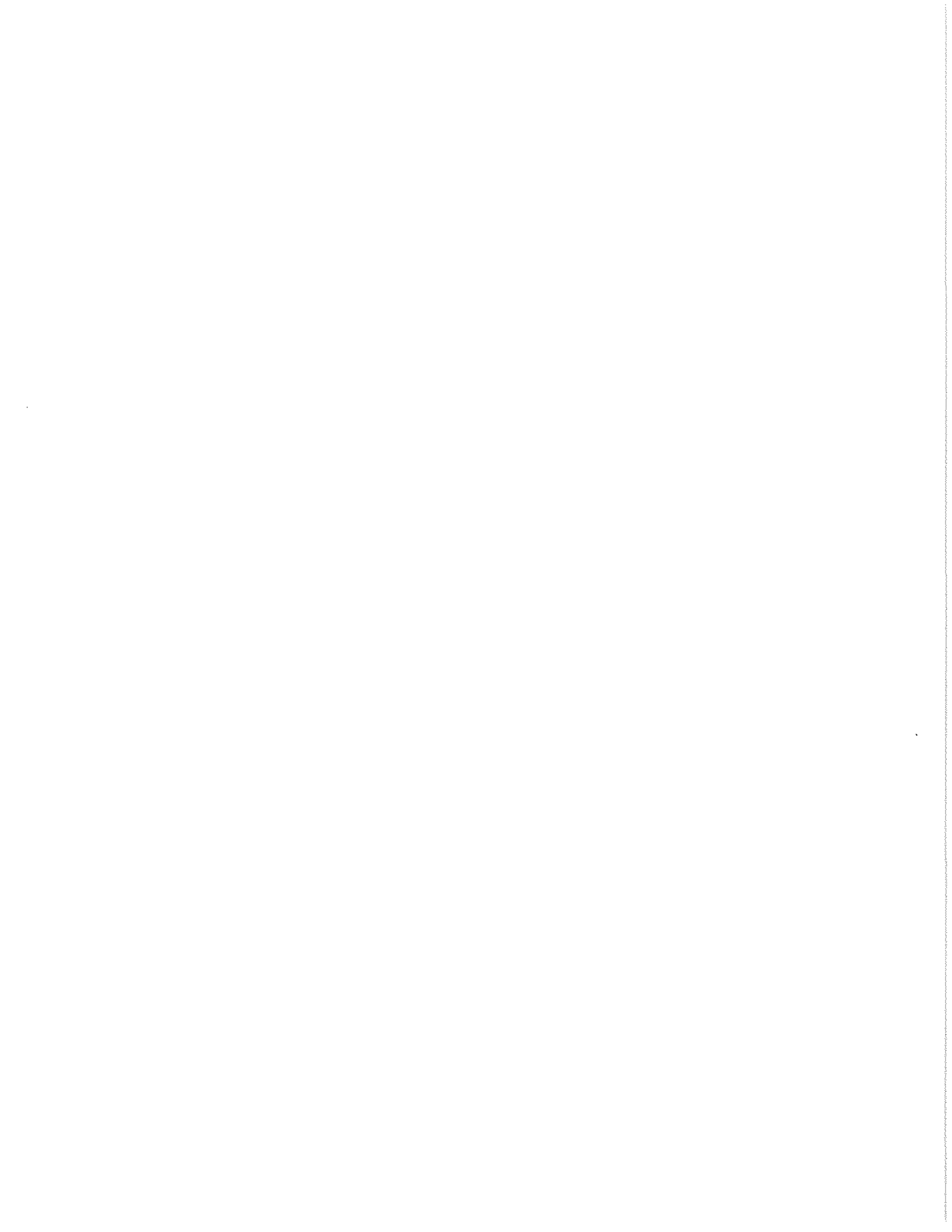
The accession folder for Accession 12 was then pulled to see if any other information was available. The Accession Receiving Report lists one bundle burial excavated from a conical mound in the "Devils Den Mound Group". It also mentions the Marquette-Yellow River Mound Group No. 2 as gives the site number as 13CT50.

Conversations with three long-term employees yielded some substantiation to Charlie's original resting place. Maintenance seasonal Tim Mason (1979), Seasonal park Ranger Dennis Runge (1968), and former superintendent Tom Munson (1971) all recollect the burial coming from Devils Den but believed that the burial was found in the rockshelter below the mound group rather than the mound itself. Tom Munson did concede that burials were seldom intact if found in rockshelters. Remains found in rockshelters tend to be scattered. It appears that Charlie was relatively intact. Dennis Runge claims that Bray did quite a few excavations with Blackwell, Kile, and Thompson. All three of these men were on the maintenance crew at EFMO during the summer of 1957. Bray was reportedly a contract archeologist who utilized park employees to help with the excavations. Dennis Runge also mentioned the possibility that there is a photograph of Devils Den in Orr's photos. This possibility remains to be explored.

Charlie was on display in the museum when Tom came to EFMO in 1971. Tom Munson believes Charlie was sent to MWAC in 1972 or 1973. He recollects a later conversation with Bob Nickels in which neither MWAC or EFMO wanted to retain Charlie. Tom suggested to Bob that it be sent to State Archeologist Shirley Schermer for interment with other remains from EFMO that were being reburied. Possibly Bob Nickels has some recollection of this conversation. Tom stated that EFMO has no use for the burial and would prefer it be reburied.

Park files dating back to the early 1970's have been sent off to the archives but I was able to find one file remaining that briefly mentions the burial and an inventory done in 1973 that indicates that the transfer was done before July, 1973.

Telephone conversations with Tom Thiessen and Michelle Watson from MWAC on Oct. 17, 20, and 21 indicate that MWAC is anxious to catalog Charlie for NAGPRA purposes. If the information above is sufficient I will catalog it under Accession 12 with a catalog number of EFMO-9916.



**Appendix J**  
**Skeletal Remains Curated at**  
**Midwest Archeological Center, NPS**

**NATIONAL PARK SERVICE**  
**EFFIGY MOUNDS NATIONAL MONUMENT [MW]**  
**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT**  
**INVENTORY**

**11/10/1995**

**Listing of Human Remains and Associated Funerary Objects  
For Which No Culturally Affiliated Present-Day Indian Tribe  
Can Be Determined**

The following inventory concerns human remains and associated funerary objects for which the NPS is responsible. No items have been determined to be culturally affiliated with present-day Indian tribes. The determination of cultural affiliation was based upon information obtained from NPS museum records, cultural affiliation specialists, and consultation with representatives of the present-day Indian tribes as noted below. Additional information may be on file.

**ID #** 1

**Context Synopsis:** Dale Henning, assisted by Tim Mason, a member of Effigy Mounds staff, was contracted to repair vandal damage to Mound 43 of the Sny Magill Unit, Effigy Mounds NM. Documentation includes a report by Dale R. Henning (1991) titled "Archeological Evaluation of Damage to Mound 43 Sny Magill Unit Effigy Mounds NM, Iowa, on file at the Midwest Archeological Center.

**Accession Data:** MWAC accession no. 569; EFMO accession no. 147

**Provenience:** 13CT18 [SNY MAGILL MOUND NO. 43]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 Total Items: 15

---

**Item:** BONE

**State Site No:** 13CT18 **SubContext:**

**Within Site Prov:** SNY MAGILL MOUND NO. 43 **Catalog #:** EFMO 9917

**Measurement:** **Item Count:** 15 **Item Qty:** 0 **Storage Unit:** EA

**Description:** HUMAN REMAINS FOUND IN THE 1991 LOOTING OF SNY MAGILL MOUND NO. 43.

**Cultural Identity:** **Identified by:** HENNING, DALE R.,

**Date/Period:**

---

**ID #** 2

**Context Synopsis:** One bundle burial excavated from a conical mound in the "Devils Den Mound Group." Because of research conducted by (b) (6), (b) (7)(C) at Effigy Mounds during October, 1994, and through correspondence with Robert Bray, the Devils Den Mound Group, also known as the Marquette-Yellow River Mound Group No. 2, on the bluffs between Marquette and Yellow River has been confirmed as the site from which the burial was removed.

**Accession Data:** MWAC accession no. 35; EFMO accession no. 12

**Provenience:** 13CT50 [DEVIL'S DEN MOUND GROUP]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 Total Items: 0

---

**Item:** BUNDLE BURIAL

**State Site No:** 13CT50 **SubContext:**

**Within Site Prov:** DEVIL'S DEN MOUND GROUP **Catalog #:** EFMO 9916

**Measurement:** **Item Count:** 0 **Item Qty:** 1 **Storage Unit:** BX

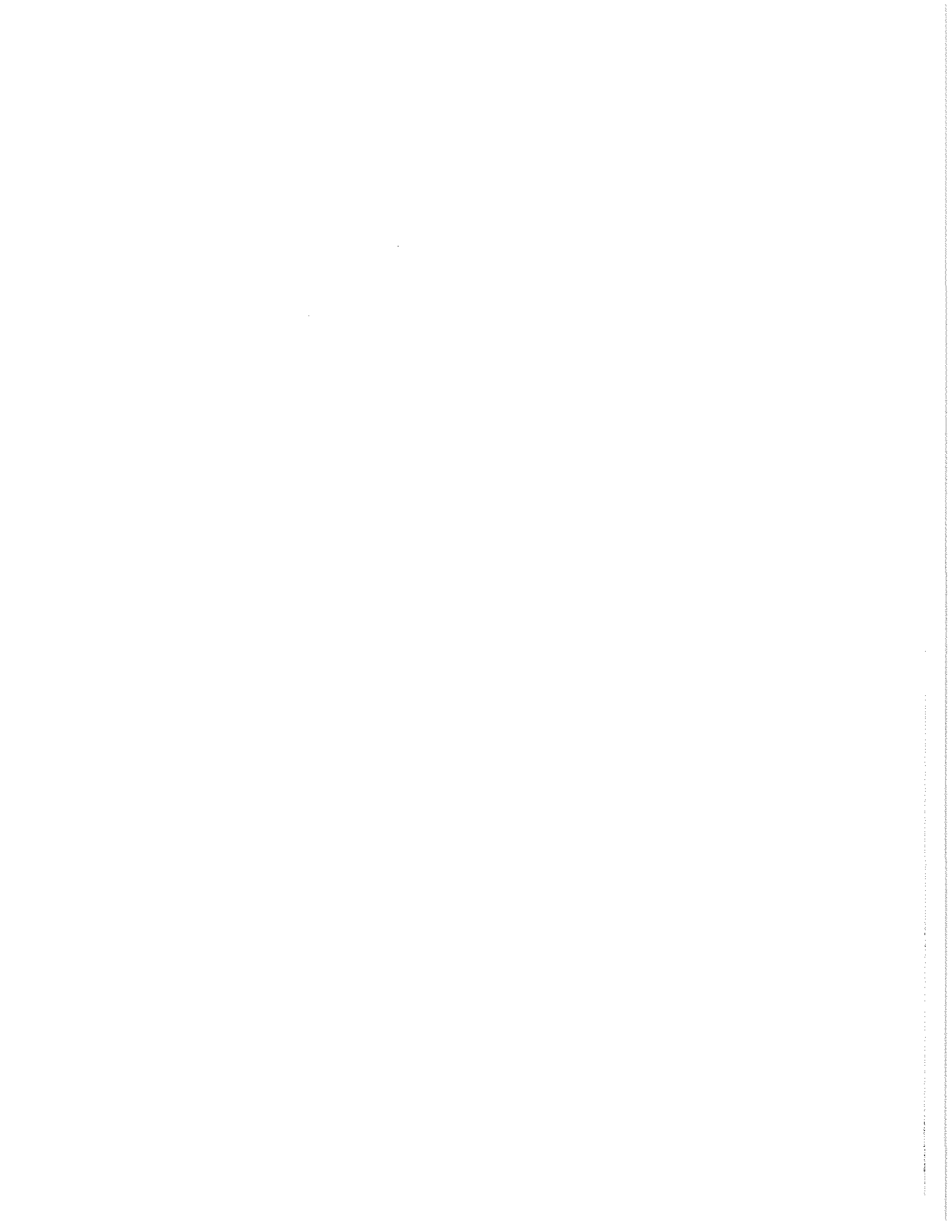
**Description:** ABOUT 94 WHOLE AND FRAGMENTARY BONES, SOME ARE WRAPPED AND SOME ARE PLASTER JACK ETED.

**Cultural Identity:** **Identified by:**

**Date/Period:**

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**Appendix K**  
**White Paper**  
**Disposition of Human Remains**

## DISPOSITION OF HUMAN REMAINS

### WHITE PAPER

**ISSUE:** What is the appropriate disposition of human remains from archeological sites which have been recovered from Federal lands, through the use of Federal monies, or under Federal sanction?

### DESCRIPTION

In the course of archeological studies human physical remains (bone, and in some cases, mummified or otherwise preserved soft tissue) may be encountered. The question of whether the remains should be reburied or curated in a scientific facility has been raised by religious, cultural and scientific groups who have an expressed or vested interest in the disposition of these remains. Proponents of reinternment, in the extreme, call for unrestricted reburial of all human remains regardless of age or ethnic affiliation. The extreme opposite position calls for the mandatory curation of all human remains.

Recently, concern over the disposition of human remains has increased. A primary goal of most Native American activist groups is the reburial of all Indian remains. Reactions from scientific communities have resulted in the adoption of resolutions against reburial. The American Academy of Forensic Science (Forensic Anthropology Section) and the American Association of Physical Anthropologists passed resolutions decrying "indiscriminate" reburial. Although the Society for American Archaeology had passed a resolution against reburial unless lineal descent could be demonstrated, the resolution was subsequently withdrawn (November 1984).

Several legal mandates bear on the issue of the disposition of human remains including: the American Indian Religious Freedom Act of 1978 (AIRFA), the Archaeological Resources Protection Act of 1979 (ARPA) and its implementing regulations, 43 CFR 7 (applicable portions of the legislation are presented in Appendix D). While AIRFA does not mention human remains directly, it has been used to argue for reinternment on the basis of religious concerns. Section 3.1 of ARPA and Section 3(a) of 43 CFR 7 specifically define graves and human remains which are at least 100 years of age as archeological resources, allow for scientific investigations, and provide for the curation of them in appropriate facilities.

Other antiquities legislation deals less directly with the issue. Human remains from National Register of Historic Place eligible or listed sites would be covered under Section 106 of the National Historic Preservation Act (NHPA) as amended (1980). Just as with ARPA, NHPA (section 101(a)(7)) provides for the long term curation of records and artifacts. The implementing regulations for this act, 36 CFR 60, generally exempt cemeteries and graves of historical figures but allow for their inclusion in the National Register of Historic Places based on age, association with historical events, and potential to yield information important in history and prehistory. The Secretary of the Interior's Standards for Archeology and Historic Preservation (1983) also states that archeological specimens and records should be curated in a suitable repository which provides access to the material for future research. The regulations cite Human Bones and Archeology as a reference for further information.

Although the draft implementing regulation (36 CFR 66) for the Archeological and Historic Preservation Act of 1974 is currently being rewritten, the extant version defines human skeletal remains as scientific material (section 66.1). They also identify that data and material from public lands or collected under Federal sanction remain the property of the Federal government.

## PRESENT POLICY

In 1979, a uniform policy dealing specifically with the disposition of human remains was developed by the Heritage Conservation and Recreation Service. This policy was slightly modified and became Department of the Interior policy in March 1982 (it is included in Appendix II). Although initial efforts in formulating the policy preceded passage of ARPA and AIRFA, the requirements of both along with comments from the Bureau of Indian Affairs representing Indian concerns and legal opinions from several solicitors were considered in framing the 1982 departmental policy. The policy pertains to Department of the Interior (DOI) actions on Federal lands and DOI sanctioned projects and relates only to archeologically derived remains. Subsequently, other executive departments have adopted this policy or follow it in principal. Although the initial stimulus to develop departmental policy and guidance came from Indian concerns, the policy and guidance is nondiscriminatory and covers all human remains located as a result of archeological activity. Generally, the Federal government has deferred to State law governing dedicated cemeteries.

The Department of Interior's policy on the disposition of human remains is consonant with AIRFA and applies to remains from public or Indian lands which are located as a result of archeological investigations conducted or authorized by the Department. The major criteria underlying the Departmental policy is that the remains are archeological resources if they are 100 years old and are of archeological interest as stipulated in the ARPA (Sec. 3.(1)) and 43 CFR 7. Consultation with groups who may have an interest in the disposition of the remains is an integral step in the determination process.

The Department's policy and guidance establishes a process for Federal land managers to use in reaching decisions regarding the disposition of human remains. This policy and guidance requires neither unrestricted reburial nor mandatory curation of the remains. It leaves the decision to the land manager for determination based on the merits of each case. The process is consonant with the land manager's ARPA responsibilities and provides for consultation with appropriate religious, cultural and scientific groups with a vested interest in the remains. The land manager must evaluate the potential conflict between religious sentiments and scientific value in reaching the determination of whether reburial or curation is appropriate.

The Departmental Consulting Archeologist is currently preparing additional guidance on the disposition of human remains which will be in the form of a "Preservation Brief." The brief will review the applicable legislation and case law relating to the disposition of human remains, identify the potential religious, cultural, and scientific values, and outline the process by which appropriate interest groups should be contacted. It will serve as guidance to allow the land managing official to determine the disposition of the remains on a case by case basis. Additionally, the Department of the Interior is preparing regulations governing the curation of archeological data and materials which are under Federal jurisdiction. These regulations will be codified as 36 CFR 79.

## APPENDIX I

### RELEVANT PORTIONS OF LEGISLATION BEARING ON THE ISSUE OF THE DISPOSITION OF HUMAN REMAINS

#### NATIONAL HISTORIC PRESERVATION ACT OF 1966 AS AMENDED (PL 89-665)

Sec. 101(a)(7) The Secretary shall promulgate, or revise, regulations-  
(A) ensuring that significant prehistoric and historic artifacts, and associated records, subject to section 110 of this Act, the Act of June 27, 1960 (16 U.S.C. 469c), and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa and following) are deposited in an institution with adequate long term- curatorial capabilities.

36 CFR 60: Implementing Regulations for PL 89-665 (Federal Register November 16, 1981)

Section 60.4 of 36 CFR 60 clarifies the status of historical cemeteries and graves with respect to eligibility to the National Register of Historic Places.

#### 60.4 Criteria for Evaluation.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes... shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

#### SECRETARY OF THE INTERIORS STANDARDS AND GUIDELINES FOR ARCHEOLOGY AND HISTORIC PRESERVATION

The Secretary's Standards promulgated under PL 89-665 (Federal Register September 29, 1983) provide clarification regarding curation:

Archeological specimens and records are part of the documentary record of an archeological site. They must be curated for future use in research, interpretation, preservation, and resource management activities. Curation of important archeological specimens and records should be provided for in the development of any archeological program or project.

Archeological specimens and records that should be curated are those that embody the information important to history and prehistory. They include artifacts and their associated documents, photographs, maps, and field notes; materials of an environmental nature such as bones, shells, soil and sediment samples, wood, seeds, pollen, and their associated records; and the products and associated records of laboratory procedures such as thin sections, and sediment fractions that result from the analysis of archeological data.

Satisfactory curation occurs when:

1. Curation facilities have adequate space, facilities, and professional personnel;
2. Archeological specimens are maintained so that their information values are not lost through deterioration, and records are maintained to a professional archival standard;
3. Curated collections are accessible to qualified researchers within a reasonable time of having been requested; and
4. Collections are available for interpretive purposes, subject to reasonable security precautions.

#### Recommended Sources of Technical Information

Human Bones and Archeology. Douglas H. Ubelaker. Interagency Archeological Services, Heritage Conservation and Recreation Commission. U.S. Department of the Interior, Washington, D.C. 1980 (page 44737).

#### **36 CFR 66: Implementing Regulations for PL 93-291 (Federal Register January 28, 1977)**

The draft implementing regulations for the Archeological and Historic Preservation Act of 1974, 36 CFR 66, are in the process of being rewritten and should be reissued by the end of 1985. They are referenced here because they have been utilized, albeit in draft form, and have provided guidance since 1977. Section 66.1 of the proposed regulations define skeletal remains as scientific material. Section 66.3 (a) (1 and 2) identify that data and material from Public lands or collected under Federal sanction remain the property of the Federal government and that such material is to be maintained in the public trust.

#### **66.3 Protection of data and materials.**

(a) Data recovery programs result in the acquisition of notes, photographs, drawings, plans, computer output, and other data. They also often result in the acquisition of architectural elements, artifacts, soil, bone, modified stones, pollen, charcoal, and other physical materials subject to analysis, interpretation, and in some instances display. Analytical techniques that can be applied to such data and material change and improve through time, and interpretative questions that may be asked using such data and material also change and develop. For these reasons, and to maintain data and material for public enjoyment through museum display, it is important that the data and material resulting from data recovery programs be maintained and cared for in the public trust.

(1) Data and materials recovered from lands under the jurisdiction or control of a Federal agency are the property of the United States Government. They shall be maintained by the Government or on behalf of the Government by qualified institutions through mutual agreement. A qualified institution is one equipped with proper space, facilities, and personnel for the curation, storage, and maintenance of the recovered data and materials. The exact nature of the requisite space, facilities, and personnel will vary depending on the kinds of data and materials recovered, but in general it is necessary for a qualified institution to maintain a laboratory where specimens can be cleaned, labeled, and preserved or restored if necessary; a secure and fireproof archive for the storage of photographs, notes, etc., and a staff capable of caring for the recovered material.

(2) Data recovered from lands not under the control or jurisdiction of a Federal agency, as a condition of a Federal license, permit, or other

entitlement, are recovered on behalf of the people of the United States Government. They should be maintained as provided under /Paragraph/ 66.3(1)(a) above... Material recovered under such circumstances should be maintained in the manner prescribed under /Paragraph/ 66.3(1)(a) insofar as possible

(b) Data and material resulting from a data recovery program should be maintained by a qualified institution or institutions as close as possible to their place of origin and made available for future research.

#### **Joint Resolution, American Indian Religious Freedom Act (PL 95-341)**

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

Sec. 2. The President shall direct the various Federal departments, agencies, and other instrumentalities responsible for administering relevant laws to evaluate their policies and procedures in consultation with native traditional religious leaders in order to determine appropriate changes necessary to protect and preserve Native American religious cultural rights and practices. Twelve months after approval of the resolution, the President shall report back to the Congress the results of his evaluation, including any changes which were made in administrative policies and procedures, and any recommendations he may have for legislative action.

There are no implementing regulations for AIRFA

#### **Archaeological Resources Protection Act of 1979 (PL 96-95)**

Sec. 2.(b) The purpose of this Act is to secure, for the present and the future benefit of the American people, the protection of archaeological resources and sites which are on public and Indian lands...

Sec. 3.(1) The term "archaeological resource" means any material remains of past human life or activities which are of archeological interest, as determined under uniform regulations promulgated pursuant to this Act. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items (emphasis added).

Sec. 4.(a) Any person may apply to the Federal land manager for a permit to excavate or remove any archaeological resource located on public lands or Indian lands and to carry out activities associated with such excavation or removal. The application shall be required, under uniform regulations under this Act, to contain such information as the Federal land manager deems necessary, including information concerning the time, scope, and location and specific purpose of the proposed work.

(b) A permit may be issued pursuant to an application under subsection (a) if the Federal land manager determines, pursuant to uniform regulations under this Act, that

(2) the activity is undertaken for the purpose of furthering archeological knowledge and public interest,

(3) the archaeological resources which are excavated or removed from public lands will remain the property of the United States, and such resources and copies of associated archaeological records and data will be preserved by a suitable university, museum, or other scientific or educational institution...

(c) If a permit issued under this section may result in harm to, or destruction of, any religious or cultural site, as determined by the Federal land manager, before issuing such permit, the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9.

(g)(1) No permit shall be required under this section or under the Act of June 8, 1906 (16 U.S.C. 431), for the excavation or removal by any Indian tribe or member thereof of any archaeological resource located on Indian lands of such Indian tribe, except that in the absence of tribal law regulating the excavation or removal of archaeological resources on Indian lands, an individual tribal member shall be required to obtain a permit under this section.

(2) In case of any permits for the excavation or removal of any archaeological resource located on Indian lands, the permit may be granted only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such terms and conditions as may be requested by such Indian or Indian tribe.

Sec. 5. The Secretary of the Interior may promulgate regulations providing for-

(1) the exchange, where appropriate, between suitable universities, museums, or other scientific or educational institutions, of archaeological resources removed from public lands and Indian lands pursuant to this Act, and

(2) the ultimate disposition of such resources and other resources removed pursuant to the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433).

Any exchange or ultimate disposition under such regulation of archaeological resources excavated or removed from Indian lands shall be subject to the consent of the Indian or Indian tribe which owns or has jurisdiction over such lands. Following promulgation of regulations under this section, notwithstanding any other provision of law, such regulations shall govern the disposition of archeological resources removed from public lands and Indian lands pursuant to this Act.



43 CFR 7: Implementing regulations for PL 96-95 (Federal Register February 6, 1984).

The regulations implementing ARPA provide additional information on and clarification of the definition of "archaeological interest."

3(a) "Archaeological Resource" means any material remains of human life or activity which are at least 100 years of age and which are of archaeological interest.

(1) "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation.

(2) "Material remains " means physical evidence of human habitation, occupation, use, or activity, including the site, location, or context in which such evidence is situated.

(3) The following classes of material remains (and illustrative examples), if they are at least 100 years of age, are of archaeological interest and shall be considered archaeological resources ...

(vi) Human remains (including, but not limited to bone, teeth, mummified flesh, burials, cremations).

## APPENDIX II

United States Department of the Interior

### GUIDELINES FOR THE DISPOSITION OF ARCHEOLOGICAL AND HISTORICAL HUMAN REMAINS

#### BACKGROUND

Archeological investigations frequently encounter various types of interred human remains which are important for their cultural, religious, and scientific values. While a number of bureaus and offices within the Department of the Interior conduct archeological programs, the Department has never developed a consistent approach toward the disposition of archeological and historical human remains. These Guidelines set forth the approach which the Department will pursue in relation to such remains.

Over the past few years the Departmental Consulting Archeologist has received numerous requests from Federal, State and local agencies and professional archeologists for guidance on the appropriate disposition of historical and archeological human remains. In an effort to provide such guidance an interim statement on the disposition of human remains was developed and issued in 1979. In response both to comments on this interim statement and to increasing numbers of requests for further guidance, the Departmental Consulting Archeologist undertook the development of a Departmentwide policy. This policy was developed in consultation with archeologists in other Interior bureaus, the Department's Solicitor's Office, and the National Park Service's Office of Management Policy. These guidelines were approved by Mr. G. Ray Arnett, Assistant Secretary for Fish and Wildlife and Parks, on July 23, 1982.

These guidelines were prepared by Dr. Annetta L. Cheek. For further information, contact the Departmental Consulting Archeologist, National Park Service, Washington, D.C. 20240.

#### GUIDELINES

These Guidelines outline the approach of the Department of the Interior on the disposition of archeological and historical human remains disturbed during archeological investigations conducted or authorized by the Department's bureaus and offices. These guidelines are in addition to and are not meant to replace or supplant any planning procedures established by Federal law or regulations. In order to deal with a variety of legitimate views of living groups toward the exhumation, analysis and disposition of human remains, the Department seeks to establish a consistent approach for its bureaus and offices to follow in determining the proper treatment of such remains. This approach will be applicable when investigations of archeological resources, conducted by or through the Department as an authorized Federal undertaking, will knowingly disturb interments of human remains, when interments are inadvertently disturbed on property owned or managed by the Department, either through natural causes or through human activities, and in any other situation in which the Department must decide on the disposition of disturbed interments of human remains.

While preservation of human remains in situ is generally preferable to removal, preservation in situ is not always feasible. In cases where it is not, it is recognized that proper treatment often involves especially sensitive issues in which scientific, cultural,

and religious values must be considered and reconciled. It is therefore the policy of the Department of the Interior to provide reasonable opportunity for consultation by the responsible bureau or office with groups or individuals interested in the disposition of disturbed human remains. This opportunity should be provided at the earliest feasible time after disturbance or, in the case of planned activity, as soon as it becomes apparent that disturbance of human remains will occur. Each bureau or office shall consider courses of action suggested during consultation as well as any requirements of other entities having legal jurisdiction in particular cases while still fulfilling its responsibilities under historic preservation law and Executive orders.

1. Where the disturbance involves marked or identified interments of human remains, a reasonable effort will be made to identify and locate individuals who can demonstrate direct kinship with those interred individuals. The bureau head or designated representative will consult with such persons who respond in a timely fashion to the notification in the determination of the most appropriate treatment for the interments.
2. Where the disturbance involves interments of human remains known by the bureau to have affinity to specific living groups such as federally recognized Indian tribes or ethnic groups (for example, the Hutterites, Amish, and non-federally recognized Indian groups), a reasonable effort will be made to identify, locate and notify leaders, officials or spokespersons for these groups. In the case of Indian tribes, notice shall be given to the recognized tribal governing body. The bureau head or designated representative will consult with such persons who respond in a timely fashion in the determination of the most appropriate treatment for the interments.
3. Where the disturbance involves interments which the bureau cannot identify with a specific living group, the bureau will make a reasonable effort to notify groups who may be expected to have an interest in the disposition of the remains based on a professional determination of generalized cultural affinity. If such groups identify themselves as having such an interest, they will be provided a reasonable opportunity to consult with the bureau head or designated representative in regard to appropriate treatment of the interment. If any group claims an affinity with the remains, the responsibility for documenting and validating that claim rests with the group.
4. Any bureau or office of the Department charged with the care or custody of human remains will maintain the collection in keeping with the dignity and respect to be accorded all human remains. Costs accruing as a result of consultation, treatment or curation of human remains are to be borne by the bureau, office or Federal agency responsible for the disinterment.
5. The bureau head may request the Departmental Consulting Archeologist or a designated representative to conduct the consultations required by the policy or to provide advice or assistance in related matters.
6. As used above, the interpretation of "reasonable" and "timely" will consider the cultural or scientific value of the human remains and the cost to the government of locating interested parties and providing consultation opportunities.



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 01/24/2012

To: ISB-MW-11-0404 – Case file

Subject: Dr. Henning review of 1990 Report of Survey document.

On 01/20/2012, I emailed to Dr. Henning a scanned copy of a July 16, 1990 Report of Survey from Effigy Mounds National Monument (EFMO), in reference to an interview I had previously conducted (ROI # 004).

On 01/20/2012, Henning replied; “I have compared what you sent with my report and find: I didn’t seem to have a copy of the cover from NPS-44 Appendix B that apparently was for the 1990 list in my report. I looked twice for it, but either missed it or it is just not there. There is also no cover form for the 1986 list in my report. When comparing the two lists, I agree that the handwriting and placement of the added information (two places) was added at different times. I also note that the list offered in my report is dated 7/30/90, not 7/16/90 as on the page you sent me and on the cover letter. This seems odd. Was it retyped and dated later? Still, the written insertions were repeated... why not typed?”

“There are a few other differences in the lists:

Mine: Some mark in the upper RH corner (not decipherable)  
yours: a different > mark in the upper LH corner

“However, no insights or revelation for you, unfortunately.

dale”

On 01/24/12 at 2:41 p.m., I called Dr. Henning and asked him if the Report of Survey findings and determinations, the recommended disposition or to Board Member signatures concerned him or would have changed his investigation or report findings. Henning stated “Nothing that sends up a red flag.”

\_\_\_\_\_  
NPS, Special Agent

Date



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 01/25/12

To: ISB-MW-11-0404

Subject: (b) (6), (b) (7)(C) – Effigy Mounds NM Maintenance employee 1990-2000.

On 01/25/2012 I spoke with (b) (6), (b) (7)(C) on the telephone from 11:33 a.m. – 12:03 p.m. (b) (6), (b) (7)(C) stated he moved into a NPS residence formerly occupied by Thomas Munson during July of 1990. He stated the house was empty and thought the associated garage was empty as well. He stated he only used the garage to store his personal “junk” and he thinks EFMO stored a NPS vehicle in it as well. (b) (6), (b) (7)(C) does not remember any other NPS items stored in the garage while he lived there.

I asked (b) (6), (b) (7)(C) if he ever heard a rumor of a maintenance employee finding a box of bones. (b) (6), (b) (7)(C) stated he had not but was aware of a wooden, free standing shed within the maintenance complex that possibly contained museum and visitor center display items (“Boxes of bones and this and that”) as well as resource management wildland fire equipment and maintenance equipment. (b) (6), (b) (7)(C) added “Oversight of the collection as a whole was really, really bad.” He stated prior to the visitor center remodel the basement was open to the public who had access to collection and museum items. He stated during the construction process items were shifted to other storage locations in the headquarters area and the process was again repeated during the building of the maintenance facility.

\_\_\_\_\_  
NPS, Special Agent

Date



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 01/25/2012

To: ISB-MW-11-0404

Subject: Rodney Rovang – EFMO Natural Resource Manager - storage shed

On 01/25/2012 I spoke with Rodney Rovang on the telephone from 2:33 p.m. – 2:48 p.m. I asked Rovang about a storage shed located within the maintenance area at EFMO. Rovang stated the shed was still at EFMO and is a free standing, 10'X15' wooden shed shaped like a barn. Rovang stated the shed has been there since the 1980's and has been used by him to store resource management equipment and maintenance. Rovang stated he primarily stored firefighting and exotic plant abatement equipment and maintenance stores lawn care equipment.

I told Rovang about a rumor of a box of bones being stored in there during the early to mid-1990's. Rovang stated he does not believe the rumor and knew the contents of the shed, and had used it enough, to have noticed any unusual items or boxes.

Rovang stated he has some pictures (attached) from 1994 of him using the shed during a Hantavirus study. He stated the shed was used to prepare rodents, captured within other EFMO facilities, for shipment to labs. Rovang stated the photos will provide a representation of the contents of the shed. Rovang stated he removed a shelf unit of fire equipment to set up the work table pictured.

\_\_\_\_\_  
NPS, Special Agent

Date









United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 02/01/2012

To: ISB-MW-11-0404

Subject: David Rambow – EFMO Museum Technician 2008-2010.

During Rambow's tenure at Effigy Mounds National Monument (EFMO) he found the management of the museum collection had suffered from years of incompetence and the EFMO employees were suffering from years of dysfunctional leadership. Rambow stated he was made aware of the missing remains related to this investigation and had read the Henning Report of 1998 indicating the remains had disappeared. The overall consensus he heard related to the missing remains was they were "deaccessioned" prior to the enactment of NAGPRA, therefore he devoted his energy to numerous other issues related to the collection. Rambow stated he could not remember specifically who told him about the "deaccession" but most likely it was (b) (6), (b) (7)(C) EFMO's Administrative Assistant, because she was his supervisor. Rambow felt the consensus was shared by Midwest Regional employees as well.

\_\_\_\_\_  
NPS, Special Agent

Date



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NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 02/07/2012

To: ISB-MW-11-0404

Subject: Norberg and Nola Palmer – Seasonal maintenance employee (Norberg) – Effigy Mounds National Monument.

Norberg and Nola Palmer remember helping Thomas Munson move out of his government house at Effigy Mounds National Monument to his new home in Prairie du Chien, WI. They stated the move occurred on a hot summer day and evening in July of 1990. They stated numerous additional NPS employees helped the Munson's move. They stated they were able to move all of the Munson's possessions and off loaded them into their Prairie du Chien home and garage. They stated they do not believe they left anything on the lawn of the Prairie du Chien house and do not believe any high school students helped with the move.

\_\_\_\_\_  
NPS, Special Agent

Date



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 02/08/2012

To: ISB-MW-11-0404

Subject: Jan Dial-Jones – Supervisory Archeologist – Midwest Archeological Canter (MWAC).

Jan Dial-Jones stated she was an employee at MWAC from 1977 – 2010. Jones stated she had very little interaction with Munson. Early in her career she worked as an archeological technician and assisted Bob Nickel with geophysical surveys at EFMO. She met Munson socially as a “third wheel” as Nickel and Munson spent time together after completing tasks at EFMO. Jones stated she does not believe Munson ever brought human remains to MWAC or to any MWAC employee. Jones stated no staff at MWAC had a physical anthropology background therefore research interest in the remains was minimal.

Jones stated during the mid-1990’s the NPS reorganized and MWAC was subsequently removed from any oversight of individual park collections. Parks were solely responsible for their collections and advisory duties were transferred to regional curatorial staff. Jones stated she was “jaded” by this reorganization because she believed the MWAC staff would do a more professional job than regional curators and ethnographers.

Jones stated she does not remember a 1996 memorandum to Superintendent Gustin from Regional Anthropologist Watson. Jones stated she will be visiting MWAC on February 8 and will look at Jeff Richner’s copy.

On 02/08/2012, Jones called me and stated she met with Richner and looked at the 1996 memorandum and the 1997 Henning report and she does not recall ever seeing them before.

\_\_\_\_\_  
NPS, Special Agent

Date



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 02/09/2012

To: ISB-MW-11-0404

Subject: Tom Thiessen – Archeologist, MWAC Manager, Midwest Region career 1972 – 2006.

Tom Thiessen stated he had very little interaction with Tom Munson and believes he only met him one time. Thiessen stated he does not remember spending any time with any issues associated with EFMO's museum collection except for (b) (6), (b) (7)(C) showing him a human skull that was anonymously mailed to the monument. When I told him Native American remains were removed in 1990 he stated "I can't imagine why. It doesn't make any sense to me."

I asked Thiessen if he would be willing to meet with Jeff Richner at MWAC to look at some documents. He stated he was going there anyway and would be happy to. On 02/03/2012 Thiessen called me and stated Richner showed him a 1996 Memorandum by Michelle Watson and a report on EFMO's museum collection by Dr. Dale Henning. Thiessen stated he had never seen the documents before.

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NPS, Special Agent

Date



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NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 02/15/2012

To: ISB-MW-11-0404

Subject: Keely Rennie-Tucker – Staff Curator, Midwest Region Office 2008 - present.

Keely Rennie-Tucker stated she first heard of the missing Native American remains from Effigy Mounds National Monument (EFMO) in early May of 2011 from her supervisor, Carolyn Wallingford. Wallingford told her some remains had been recovered by an NPS employee and they were asked to go to EFMO to examine them. Tucker stated they both understood the potential magnitude of the matter and realized they could clear their schedule and leave the following day, May 4<sup>th</sup>. Tucker stated they drove to EFMO and spent a full day examining the returned remains and comparing them to the records available at the park. Tucker stated the deaccession records were locked up and unavailable to the EFMO staff.

Tucker stated their findings concluded some remains were still missing from the collection despite what was recovered. Tucker worked with Wallingford to create a database of their findings.

\_\_\_\_\_  
NPS, Special Agent

Date



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 04/26/2012

To: ISB-MW-11-0404

Subject: Karen Gustin – Former Effigy Mounds National Monument (EFMO) Superintendent – 1994-1996.

On 04/26/2012 I called Karen Gustin to discuss a statement made by Tom Munson to a reporter researching a story for *The Gazette*. Within the article Love quotes Munson as saying he contacted then Superintendent Gustin who told him to retain custody of the remains until an appropriate storage site could be found. Gustin described Munson's statement as "slander" and added the event he described never happened. I forwarded the article to Gustin. Gustin responded "David – As I stated over the phone, I met Tom Munson once, maybe twice while I worked at Effigy Mounds. I have no recollection of the statement that Tom Munson makes in this article, and do not recall ever telling him to keep those remains. I would not tell someone to keep native American remains in their home."

---

NPS, Special Agent

Date 05/01/2012



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 05/01/2012

To: ISB-MW-11-0404

Subject: Timothy McKeown – Office of the Special Trustee - USDOJ.

Timothy McKeown stated he began working for the National Park Service in the anthropology department in 1990. In December of 1991 he was selected by the national Native American Graves Protection and Repatriation Act (NAGPRA) coordinator, (b) (6), (b) (7)(C) and began working for him.

McKeown stated he is a historian and soon to be published author on the creation, enactment and implementation of NAGPRA and has read newspaper articles related to this investigation.

McKeown stated an inherent conflict of interest existed and continues to exist in the National Park Service (NPS). The NPS was selected to oversee the implementation and oversight of NAGPRA by the Secretary of the Interior despite the agency being one of the largest possessors of Native American remains. McKeown stated when NAGPRA was enacted many NPS officials were concerned about the scientific loss that will occur when the Native American remains were repatriated and this is where the conflict between the NPS and NAGPRA existed. Within the agency groups of like minded officials emerged and tension between these groups over the issue was palpable. McKeown stated uncertainty over the future state of collections made NAGPRA the preeminent issue of the time for the related disciplines and associated NPS officials.

McKeown was asked about any knowledge of any “directive” to NPS officials to remove human remains from NPS collections prior to the enactment of NAGPRA. McKeown stated he was not aware of any directive. McKeown further stated “I can’t imagine Frank doing that.” McKeown stated he has had personal difficulties with (b) (6), (b) (7)(C) in the past and believes (b) (6), (b) (7)(C) has made certain aspects of repatriations more difficult with his management decisions but he does not believe there was any directive to any group or individual, formal or informal. McKeown added “He will go up to the line but he will not break it.” McKeown stated if such a “directive” existed associated with Effigy Mounds National Monument it is most likely to have come from a regional NPS source.

---

NPS, Special Agent

Date 05/01/2012













**National Park Service**  
**Investigative Services Branch**  
**Photo Log**


David Barland-Liles  
NAME

Special Agent #111  
TITLE

05/18/2012  
DATE



(b) (6), (b) (7)(C)

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(b) (3), (b) (6), (b) (7)(C)

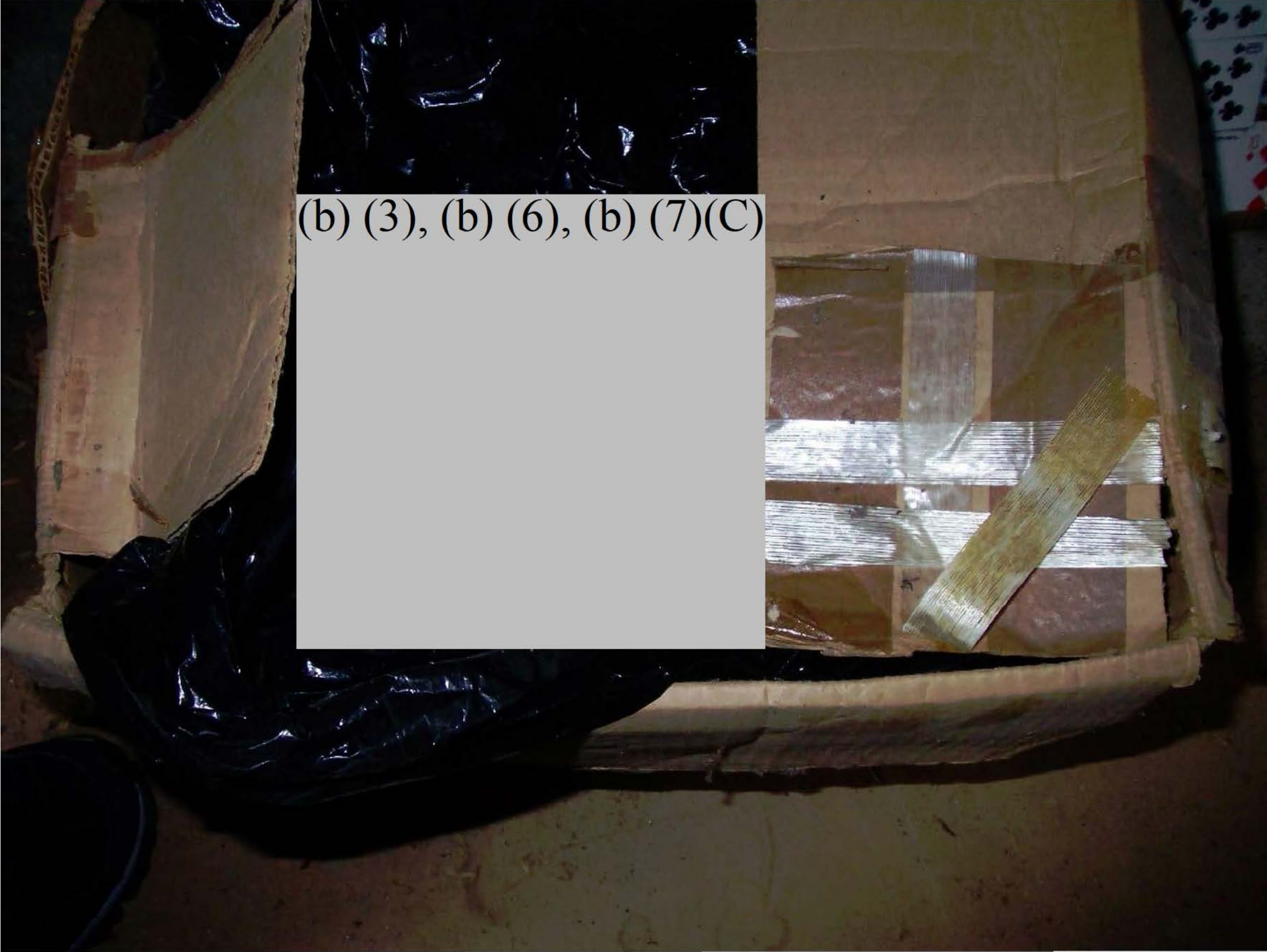




(b) (3), (b) (6), (b) (7)(C)



(b) (3), (b) (6), (b) (7)(C)



# C-A-T



## MOVING & STORAGE

POLIS, MINNESOTA

**CALL:**  
**881-4128**

EVIDENCE REPORT

Case No. 201-101-1000 Case Officer Richard-L. Lee Location E 7th Page 1 of 1

Creation No. \_\_\_\_\_ Date No. \_\_\_\_\_ Location \_\_\_\_\_

Subject Name Small Boxes

Item No.	Description	Quantity	Unit	Weight	Volume	Value	Condition	Remarks
1	Small Box	1	Box					
2	Small Box	1	Box					
3	Small Box	1	Box					
4	Small Box	1	Box					
5	Small Box	1	Box					
6	Small Box	1	Box					
7	Small Box	1	Box					
8	Small Box	1	Box					
9	Small Box	1	Box					
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11	Small Box	1	Box					
12	Small Box	1	Box					
13	Small Box	1	Box					
14	Small Box	1	Box					
15	Small Box	1	Box					
16	Small Box	1	Box					
17	Small Box	1	Box					
18	Small Box	1	Box					
19	Small Box	1	Box					
20	Small Box	1	Box					

DATE	TIME	ITEM NO.	CUSTODY ASSUMED BY	REASON
11/15/10	10:30	101	Officer originally impounding	STORAGE
11/15/10	11:00	102	Property Officer / E-7 / R. Lee	STORAGE
11/15/10	11:30	103	Officer originally impounding	STORAGE

(b) (3)

(b) (3)

(b) (3)



**(b) (3), (b) (6), (b) (7)(C)**

(b) (3)

(b) (3), (b) (6), (b) (7)(C

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)



(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

Acc. 8

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b)

Acc. 8

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

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(b) (3), (b) (6), (b) (7)(C)

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Acc. 106

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

(b) (3), (b) (6), (b) (7)(C)

... 1987 report states that ...

... 1987 report states that ...

... evidence of this accession listed

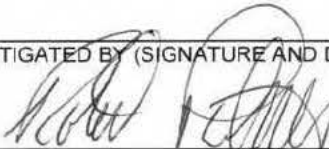
UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

**CASE INCIDENT RECORD**

1 ORGANIZATION CODE <b>6290</b>		2 ORGANIZATIONAL (PARK) NAME <b>Effigy Mounds National Monument</b>			3 LOCATION CODE		4 CASE / INCIDENT NUMBER <b>EFMO 2010 MUNSON</b>			
5 LOCATION OF INCIDENT <b>Effigy Mounds National Monument</b>					6 DATE OCCURRED <b>July, 2010</b>		7 TIME OCCURRED		8 DAY OF WEEK	
9 OFFENSE INCIDENT CODE <b>N/A</b>		10 NATURE OF INCIDENT <b>Report of Possession of cultural materials possibly from private, state or federal lands</b>						11 HOW REPORTED <b>By Involved Person</b>		
12 REPORTED BY			13 ADDRESS			14 HOME PHONE		BUS. PHONE		
15 RECEIVED BY			16 DATE RECEIVED		17 TIME BROADCAST		18 WHEN INVESTIGATED - DATE / TIME			
19 INVESTIGATED BY <b>Robert Palmer</b>				20 COMMISSION NUMBER <b>2059</b>		21 WHEN CLEARED		22 DISPOSITION		
23 INVOLVED PERSONS		24 ADDRESS			25 PHONE		26 SEX	27 RACE	28 AGE	29 DATE OF BIRTH
<b>1</b>	Thomas Munson	<b>(b) (6), (b) (7)(C)</b> Prairie du Chien, Wisconsin			608		M	W		
<b>2</b>										
<b>3</b>										
<b>4</b>										

30 DETAILS OF INCIDENT  
 In July 2010, Park Ranger Robert Palmer visited former Effigy Mounds National Monument Superintendent Thomas Munson (Munson) at his residence in Prairie du Chen, Wisconsin. The visit was not tied to any specific purpose, but was more informational in nature as Ranger Palmer and Munson have known each other for more than 25 years. During the course of their conversations, Munson told Ranger Palmer that when the park maintenance staff had assisted him and his family's move to Prairie du Chen from park housing (i.e. living in a government owned house on the grounds of Effigy Mounds National Monument) in 1990, some boxes were moved to his residence that in fact did not belong to him. Munson described how, after having lived in a government house for over 20 years that was attached to the park maintenance facility, some items of his and the park's became commingled. He stated that when he moved these boxes, along with most of his possessions, they were placed in the detached garage at his new home located at **(b) (6), (b) (7)(C)** in PDC. He stated that he did not go through the materials in his garage for quite some time, but when he did he discovered one box that he believed contained bones and cultural materials collected by the late Luther College archaeologist R. Clark Mallam from the "FTD Site". (Note: The FTD Site is an archaeological site that is positioned along the Mississippi River on state of Iowa [DNR], private [Canadian & Pacific Railroad] and Federal [NPS] lands. It is understood that in the mid 1980's the United States Corps of Engineers put rip-rap on the eastern edge of the site (land believed to be owned by the state of Iowa) and buried the exposed portion of the site under about 1 foot of sand. This was done to preserve the site from further erosion and looting).

(Report continues on next page)

31 QUANTIT	32 PROPERTY STOLEN OR DAMAGED	33 ESTIMATED VALUE	34 IF RECOVERED LIST DATE AND VALUE
35 PROPERTY CODE OF HIGHEST VALUE =		36 TOTAL	37 TOTAL
INVESTIGATED BY (SIGNATURE AND DATE) 		APPROVED BY (SIGNATURE AND DATE)	

(Continued from previous page)

Munson stated that during the early 1980's Mallam and his crew had surveyed the FTD site and had determined that the site had served at some time in the recent past (pre 1949) as a farm dump site for dead animals, and that the crew had collected materials from the site that included pig bones, cow bones and a variety of other bones. He stated that since the dump site was on an old Indian village site, he thought it might be possible that there could be human remains in the box, but that once he looked in the box and saw what it was, he didn't go through it, as he did not have an interest in the materials. He stated that he thought that the materials had probably ended up in the park maintenance facility because they were not perceived as having any archaeological value.

Ranger Palmer suggested that it would be good for the materials to be returned to the park, so a qualified archaeologist could analyze the materials to determine their value as an archaeological collection. Munson agreed. Ranger Palmer told Munson that the park did not currently have a permanent Superintendent or someone on staff that was recognized as a cultural resource manager who could deal with such a collection. Consequently, Ranger Palmer asked Munson if he would come back and collect the materials at a later date. Munson agreed that this would be okay.

**UNITED STATES DEPARTMENT OF THE INTERIOR**  
**NATIONAL PARK SERVICE**  
**SUPPLEMENTAL CASE/INCIDENT RECORD**

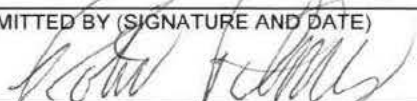
ORGANIZATIONAL (PARK) NAME Effigy Mounds National Monument		CASE INCIDENT NUMBER <b>EFMO 2010 MUNSON</b>
LOCATION OF INCIDENT Effigy Mounds National Monument		DATE OF INCIDENT
NATURE OF INCIDENT Report of Possession of cultural materials possibly from private, state or federal lands		
COMPLAINANT'S NAME	COMPLAINANT'S ADDRESS	

On April 26, 2011 at approximately 8:10 AM, Effigy Mounds National Monument (EFMO) Superintendent Jim Nepstad came to Park Ranger Palmer's office. Superintendent Nepstad was in possession of a document entitled, "Accession History and Satus of Accessioned Materials and 1986 & 1990 Deaccessioned Items and Objects. Submitted, September, 1998". Superintendent Nepstad asked Ranger Palmer if he had ever seen the document. Ranger Palmer stated that he had not. Superintendent Nepstad summarized for Ranger Palmer the prescient points of the document, specifically that the report stated that many human remains under the legal control of the United States had been deaccessioned from the park's museum collection in 1986 and 1990.

Nepstad stated that according to the document, it appeared as though the deaccession had occurred prior to November 16, 1990, and consequently the human remains had never appeared in documents required by the Native American Graves Protection and Repatriation Act (NAGPRA). Nepstad informed Palmer that he was now going to inform the tribal governments that have an interest in EFMO cultural materials about the long missing and unreported human remains.

Ranger Palmer stated to Nepstad that he had a hunch as to where the human remains might be. Ranger Palmer told Nepstad of a conversation that he had in July, 2010 with former EFMO Superintendent Tom Munson, in which Munson told Ranger Palmer that he was in possession of some "animal bones" that had been recovered from the FTD site by Luther College archaeologist, Clark Mallam in the 1980's, and that he wanted them to come back to EFMO (see EFMO Incident Report "EFMO 2010 MUNSON for details of the conversation). Ranger Palmer believed that it was worth contacting Munson and retrieving the materials that had been offered by Munson to Ranger Palmer in July, 2010.

At approximately 10:00 AM on the same day, Ranger Palmer met with Munson at his residence, located at (b) (6), (b) (7)(C) Prairie du Chien, Wisconsin. After a short visit, Ranger Palmer told Munson that he would now like to take possession of the box of cultural materials that the two of them had discussed during the summer of 2010. Munson said that would be fine, but that they were in his garage, and would have to be located. Ranger Palmer offered to help, and Munson agreed. Ranger Palmer and Munson conducted a hasty search, looking into easily accessible boxes. After about 10 minutes, nothing had been discovered. Munson told Ranger Palmer that he would do a through search and contact him when the items were located. Ranger Palmer agreed and left Munson's residence. (Report continued on next page)

SUBMITTED BY (SIGNATURE AND DATE) 	APPROVED BY (SIGNATURE AND DATE)
--	----------------------------------

(Continued from previous page)

On Thursday, April 28, 2011 at about 9:30, Ranger Palmer received a telephone call from Munson, in which Munson stated that he had found the materials and that Ranger Palmer could come by and retrieve them. Ranger Palmer arrived at the Munson residence at approximately 10:00 AM and was met by Munson. Munson escorted Ranger Palmer to the garage where Ranger Palmer observed a rectangular cardboard box that was approximately 30" long and 14" wide. Munson said that was the box and showed Ranger Palmer where it had been located and overlooked when the hasty search occurred two days earlier. Ranger Palmer opened the box. Inside was a large black plastic storage bag. Ranger Palmer removed the large black plastic storage bag from the box, opened the bag and observed other smaller bags as well as bones of varying sizes in the black plastic storage bag. There was nothing else in the box. Ranger Palmer also observed that on some of the bones there appeared to be small, handwritten letters and numbers, such as "EFMO #####". Based on Ranger Palmer's knowledge of archaeological cataloging techniques, the materials appeared to be, or at one time to have been, part of the EFMO archaeological collections. Ranger Palmer stated to Munson that these appeared to be from the EFMO collections, and asked Munson how this could be. Munson stated that the materials must have been deaccessioned and ended up in his park storage awaiting transport to "MWAC" (the Midwest Archaeological Center, located in Lincoln, Nebraska) and then got moved to his residence by mistake. At approximately 10:00 AM, Ranger Palmer took possession of the black plastic storage bag and returned to EFMO.

Upon returning to EFMO, Ranger Palmer brought the black plastic storage bag into his office. Ranger Palmer immediately contacted Superintendent Nepstad and requested that he come to Ranger Palmer's office. Upon Nepstad's arrival, Ranger Palmer opened the storage bag and removed some of the items. The items all appeared to be bone and most appeared to have the aforementioned numbers on them. The presence of what appeared to be pieces of human skull led Ranger Palmer to conclude that the materials were more likely than not human, and were likely the missing materials. At this point, Ranger Palmer selected one of the marked items and requested that Superintendent Nepstad compare the number with the list of missing materials in the Henning Report. The number on the item matched a number listed as being missing. At this time, no further comparison was undertaken, and the materials were removed from Ranger Palmer's office and secured in the EFMO archaeological collections.



**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 12/27/2011	<b>Report Number:</b> 001
<b>Report Subject:</b> Interview of Kathleen Miller – EFMO Superintendent: 1997–1999			

**SUMMARY:**

In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990’s after Munson retired from the National Park Service.

The following is an interview with former EFMO Superintendent, Kathleen Miller.

Date/Time: 12/27/2011 / 10:00 a.m. – 11:10 a.m.

Location: Telephone

Person Interviewed: Kathleen Miller

Telephone Numbers: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**NARRATIVE:**

Kathleen Miller was the Superintendent of Effigy Mounds National Monument from 1997–1999. She replaced Superintendent Karen Gustin. Upon arriving, Gustin advised Miller of numerous issues that were affecting EFMO. One of the issues involved Native American remains that were missing from the parks museum collection. Miller stated during her tenure she worked with the Midwest Archeological Center (MWAC) to have an outside entity research the records associated with these missing remains.

Miller stated MWAC contracted with an archeologist, Dale Henning, from nearby Luther College to perform the investigation. Miller stated EFMO staff, particularly (b) (6), (b) (7)(C) worked closely with a Luther College Archeologist named Lorie Stanley who pawed through the records in EFMO’s archives in an attempt to locate evidence of where the remains may have gone. Miller remembered Stanley being confounded by the lack of continuity in the cataloging and numbering system of the parks collection. Miller admitted there was a long history of “loosey-goosey” practices at EFMO caused primarily by a lack of funding for cultural resource

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 12/27/2011</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution:     Original – Case File     Other:                     Other:

1 specialists positions and unspecialized, overworked employees performing collateral duties without proper  
2 training.

3  
4 Since the Luther College team was being funded through MWAC, Miller was kept somewhat removed from the  
5 findings of the team. The results of the investigation were not shared with her prior to her leaving the National  
6 Park Service in 1999.

7  
8 I described to Miller a July 1990 Report of Survey form recently found at EFMO that indicates the missing  
9 Native American remains were “abandoned” by Superintendent Munson. Miller stated she has never seen or  
10 heard of such a document. Miller added “I am aghast” that such a process would be used for human remains.  
11 She stated such a critical document would have been used to provide answers if she or Karen Gustin were aware of  
12 it.

13  
14 Miller stated she had coffee once with Munson shortly after arriving at EFMO. The meeting was primarily  
15 social to discuss his long tenure as Superintendent. Miller also had a list of items of concern given to her by  
16 Karen Gustin which included the missing remains and she was looking for Munson’s thoughts and input. Miller  
17 stated after the meeting she was walking to her car and laughing as she realized the meeting was useless. She  
18 described Munson as “colossally unhelpful.” She stated in retrospect she did not think he was being sinister and  
19 does not remember any specific answers to any questions she may have asked related to the Native American  
20 remains. I asked Miller if Munson may have lied to her and she said “I can’t tell you if he did or he didn’t.”

21  
22 Miller stated during her tenure at EFMO she would occasionally hear references and “little jokes around the  
23 edges” from longtime EFMO employees of severe conflicts between Munson and a former park historian.  
24 Wrapped within these comments she would hear references of park staff building fake burial mounds to secretly  
25 rebury remains at different locations in the park. Miller could never verify the stories and once asked EFMO’s  
26 Chief of Maintenance, (b) (6), (b) (7)(C) about the stories. (b) (6), (b) (7)(C) told her he did not know anything. Miller  
27 stated she believes meeting with (b) (6), (b) (7)(C) would provide more insight into the former historian and the stories of  
28 secret burials.  
29  
30

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**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 12/30/2011	<b>Report Number:</b> 002
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – EFMO Chief Ranger: 1990–1996			

**SUMMARY:**

In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990’s after Munson retired from the National Park Service.

(b) (6), (b) (7)(C) was the Chief Ranger of EFMO in July of 1990. His signature appears on a Report of Survey form used to “Deaccession” Native American remains from EFMO’s museum collection. (b) (6), (b) (7)(C) stated he signed the Report of Survey after Munson told him the items to be removed from the collection were animal bone fragments.

Date/Time: 12/30/2011 / 1:00 p.m. – 1:37 p.m.

Location: Telephone

Person Interviewed: (b) (6), (b) (7)(C)

Telephone Numbers: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**DETAILS:**

On Friday, December 30, 2011, at approximately 1300 hours, I interviewed (b) (6), (b) (7)(C) by telephone in reference to this investigation. (b) (6), (b) (7)(C) stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview and agreed to participate. The interview was recorded using handwritten notes.

Don (b) (6), (b) (7)(C) stated he arrived in Effigy Mounds National Monument in June of 1990. He was hired as the Monument’s new Chief Ranger and had transferred from Ft. Scott National Historic Site in Kansas.

(b) (6), (b) (7)(C) stated the Chief Ranger position at Effigy Mounds was a non-commissioned position that primarily focused on interpretation.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 12/27/2011</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

**ISB Case Number: ISB-MW-11-0404**

1 (b) (6), (b) (7)(C) stated he lived in a hotel for approximately two weeks prior to moving into government  
2 housing adjacent to park headquarters. He moved into government quarters on July 6, 1990.

3 (b) (6), (b) (7)(C) stated there were two houses available and he was assigned the eastern unit. The western  
4 unit was assigned to a maintenance employee named (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) residence was  
5 formerly assigned to Superintendent Munson who had recently moved to nearby Prairie du Chien.

6 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was already living in his residence when he was moving in on July 6<sup>th</sup>.

7  
8 Prior to this interview (on 12/12/2011) I sent a Report of Survey form to (b) (6), (b) (7)(C) to review.

9 (b) (6), (b) (7)(C) stated he received the document and recognized it as a Report of Survey form from Effigy  
10 Mounds that he signed on July 16, 1990. He stated the form was given to him to sign by Superintendent  
11 Munson who explained the items to be surveyed (“Deaccessioned”) were animal bone fragments that were not  
12 needed in the park’s museum collection. (b) (6), (b) (7)(C) stated he never inspected the bones (which were  
13 listed by accession numbers on page two of the Report of Survey) and signed the document as a survey board  
14 member based on the information provided by Munson.

15  
16 **ATTACHMENTS: EFMO Report of Survey - July 16, 1990.**

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**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/04/2012	<b>Report Number:</b> 003
<b>Report Subject:</b> Interview of Karen Gustin – EFMO Superintendent: 1994–1997			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990’s after Munson retired from the National Park Service.

Karen Gustin was the Superintendent of EFMO from October 1994 to January of 1997. During her tenure NPS staff unsuccessfully attempted to locate the missing remains. Gustin claims she never saw a 1996 memorandum from Michelle Watson, an NPS Anthropologist, detailing the efforts to locate the remains.

Date/Time: 01/03/2012 / 5:30 p.m. – 6:10 p.m. – 01/04/2012 / 11:05 a.m. – 11:15 a.m.

Location: Telephone

Person Interviewed: Karen Gustin

Telephone Numbers: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, January 4, 2012, at approximately 1105 hours, I interviewed Karen GUSTIN by telephone in reference to this investigation. GUSTIN stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview and agreed to participate. The interview was recorded using handwritten notes.

GUSTIN arrived at Effigy Mounds National Monument (EFMO) in Oct. 1994. She replaced long-time Superintendent Munson and it was her first superintendent assignment.

Prior to this interview (12/15/2011), I sent GUSTIN a copy of a memorandum dated April 23, 1996. This memorandum appears to have been sent to the Superintendent of EFMO (GUSTIN) from an Anthropologist of the Great Plains Systems Support Office (believed to be Michelle Watson). The memorandum addresses issues related to the EFMO museum collection and any associated inventory relevant to the Native American Graves Protection and Repatriation Act.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 01/04/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

**ISB Case Number: ISB-MW-11-0404**

1 GUSTIN stated she reviewed the six page memorandum and had never seen it before. GUSTIN stated on April  
2 11, 1996 (b) (6), (b) (7)(C) well into June, so she most likely was not  
3 available when the memorandum arrived at EFMO.  
4

5 GUSTIN stated the memorandum provides a chronology that details numerous correspondences she allegedly  
6 had related to the EFMO museum collection. GUSTIN stated she recognizes some entries, for instance a  
7 03/14/1996 entry to Shirley Schermer of the Iowa Office of the State Archeologist, "looks like me." However,  
8 numerous other entries, particularly detailed information concerning specific museum accessions, must have  
9 been done on her behalf by an EFMO employee, most likely (b) (6), (b) (7)(C) GUSTIN stated "A lot of the  
10 language is not how I say things." GUSTIN added she does not recall digging into any of EFMO's museum  
11 collections or accessions with the detail documented in the memorandum because it was not her job and she did  
12 not have the time.  
13

14 GUSTIN recalls issues related to human remains from EFMO which were stored at the Midwest Archeological  
15 Center (MWAC). These remains were an emphasis during her 2 ½ year tenure at EFMO because the park had  
16 yet to build any relationships with any affiliated Native American Tribes. GUSTIN stated she devoted a great  
17 deal of time and energy establishing those relationships in hopes the MWAC remains could one day be  
18 repatriated.  
19

20 GUSTIN stated when she arrived at EFMO there were two additional issues that may have prevented her from  
21 seeing the memorandum. EFMO's headquarters building was being completely remodeled which forced her  
22 staff to empty the building and transfer to temporary trailers. This move disrupted normal operations for the  
23 better part of one year. In addition, the filing skills of EFMO's Administrative Assistant, (b) (6), (b) (7)(C) was  
24 described by GUSTIN as an "atrocious mess." GUSTIN stated EFMO operations often suffered from it and,  
25 although GUSTIN worked hard to make a positive change, she remained unsatisfied with (b) (6), (b) (7)(C) progress  
26 when she left EFMO in January of 1997.  
27

28 On January 4, 2012, I emailed a copy of a 1998 report written by Dale Henning to GUSTIN. Within the report  
29 are many documents Henning recovered from EFMO files which include handwritten notes attached to  
30 correspondences referred to in the April 23, 1990 memorandum. On January 4, 2012, at approximately 1105  
31 hours, GUSTIN called me and stated she had reviewed the Henning report and confirmed her handwritten notes  
32 were located on page 57, 58, 61, 63 and 70. GUSTIN stated the handwritten notes on pages 64 and 65 were not  
33 hers.  
34

35 GUSTIN stated the report has helped her remember her tenure at EFMO and she now realizes she delved into  
36 the issue of missing Native American remains more than she previously remembered.  
37

38 GUSTIN stated the 1998 Henning report shows that the April 23, 1996 memorandum has a factual time-line and  
39 does accurately represent her involvement with attempts to locate Native American remains at EFMO.  
40 However, GUSTIN still does not remember the memorandum.  
41

42 GUSTIN commented on a header that appears on top of the April 23, 1996 memorandum ("KAREN, VOID  
43 THIS MEMO PLEASE; FEED IT TO THE BIRDS"). GUSTIN stated the header was "offensive" and stated  
44 she would definitely remember it if she had ever seen it.  
45

46 **ATTACHMENTS: None**

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**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/10/2012	<b>Report Number:</b> 004

**Report Subject:**

Interview of Dr. Dale Henning – Author of *Accession History and Status of Accessioned Materials and 1986 & 1990 Deaccessioned Items and Objects* (1998)

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service.

One of those attempts occurred in 1997-98 by Dr. Dale Henning who was contracted by the National Park Service. Dr. Henning concluded the missing remains “disappeared.”

Date/Time: 01/05/2012 / 1:10 p.m. – 1:35 p.m. – 01/10/2012 / 2:45 p.m. – 2:54 p.m.

Location: Telephone

Person Interviewed: Dr. Dale Henning

Telephone Numbers (b) (6), (b) (7)(C)

Email: (b) (6), (b) (7)(C)@gmail.com

Present for Interview: SA Barland-Liles

**DETAILS:** On Thursday, January 5, 2012, at approximately 1310 hours, I interviewed Dr. HENNING by telephone in reference to this investigation. HENNING stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview and agreed to participate. The interview was recorded using handwritten notes.

In 1997, HENNING was contracted by the National Park Service (NPS) to investigate the loss of Native American remains from the Effigy Mounds National Monument (EFMO) collection. HENNING was working for the Illinois State Museum Society and had previously accepted research projects from the NPS through the Midwest Archeological Center.

HENNING worked exclusively with (b) (6), (b) (7)(C) who provided access to EFMO's files and museum/curatorial collections. HENNING stated he remembers a level of hesitancy from (b) (6), (b) (7)(C) but has no explanation why he sensed it.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 01/11/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1  
2 HENNING stated as his investigation evolved “I got the feeling that these bones arrived [returned to EFMO  
3 from Iowa’s Office of the State Archeologist] and were disposed of.”  
4

5 HENNING added he never visited with EFMO’s former Superintendent, Thomas Munson, during the  
6 investigation because “I didn’t think it would be fruitful” due to Munson’s unhelpful reputation.  
7

8 HENNING stated he had no explanation why any NPS employee would want to dispose of the bones. He stated  
9 they have no commercial value since remains recovered from mounds tend to be in “terrible shape” and are not  
10 presentable. However, the value of the remains to archeological research is extremely high.  
11

12 I began to ask HENNING what he remembered about sending the final report to the National Park Service.  
13 HENNING stated it would be helpful if he could review the report to help jog his memory. I sent him an  
14 electronic copy.  
15

16 On Tuesday, January 10, 2012, at approximately 1425 hours, I was contacted by HENNING who stated he had  
17 reviewed his report. HENNING remembers mailing the original to the National Park Service in September of  
18 1998 but could not remember if it went to EFMO, the Regional Office or the Midwest Archeological Center.  
19 He never heard from or was consulted by any NPS employee regarding his findings and assumed the report was  
20 never reviewed.  
21

22 **ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/17/2012	<b>Report Number:</b> 005
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – Chief of Maintenance of Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

(b) (6), (b) (7)(C) has been the Chief of Maintenance at EFMO since the early 1980's. (b) (6), (b) (7)(C) stated his signature as a Board Chairperson appears on a July 16, 1990 Report of Survey but he does not remember signing it and has no knowledge of EFMO performing a Board of Survey on Native American remains.

Date/Time: 01/17/2012 / 08:30 a.m. – 9:45 a.m.  
Location: Effigy Mounds National Monument – Chief of Maintenance Office  
Person Interviewed: (b) (6), (b) (7)(C)  
Present for Interview: SA Barland-Liles

**DETAILS:**

On Tuesday, January 17, 2012, at approximately 0830 hours, I interviewed (b) (6), (b) (7)(C) in his office in reference to this investigation. (b) (6), (b) (7)(C) stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview and agreed to voluntarily participate. The interview was recorded using handwritten notes.

I showed (b) (6), (b) (7)(C) a July 16, 1990 Report of Survey from Effigy Mounds National Monument (EFMO). (b) (6), (b) (7)(C) inspected the report and stated one of the signatures (Signature of Board Chairperson) was “obviously my signature.” (b) (6), (b) (7)(C) stated the attached item description list (Accession and Catalogue numbers) and the Board of Survey findings and determinations (“Miscellaneous material that does not fit the Scope of Collection Statement for artifact/museum storage at Effigy Mounds NM. Deaccession [sic] from collection”) “means nothing to me.”

(b) (6), (b) (7)(C) stated he does not remember having a formal board of survey during Munson's tenure and does not recall signing this particular survey document.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 01/17/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution:      Original – Case File      Other:      Other:

1  
2 I explained to (b) (6), (b) (7)(C) the items associated with the Report of Survey were Native American remains.  
3 (b) (6), (b) (7)(C) stated "A Board of Survey about human remains I would remember." (b) (6), (b) (7)(C) speculated he  
4 was unaware what items were associated with the Report of Survey when he signed it.  
5

6 I asked (b) (6), (b) (7)(C) how the process of a Board of Survey would normally be conducted. (b) (6), (b) (7)(C) reiterated  
7 he does not remember having a "formal" Board of Survey while Munson was Superintendent. Since Munson's  
8 tenure, EFMO's management team has convened as the Board of Survey. They inspect the items, have an  
9 employee available to explain the items, and a decision is made regarding disposal or replacement. (b) (6), (b) (7)(C)  
10 stated he can remember government property formally surveyed during the tenures of Superintendent Gustin,  
11 Miller, Ewing, Evans and Nepstad, but not Munson.  
12

13 (b) (6), (b) (7)(C) stated he has no idea why Munson would want to "deaccession" Native American remains.  
14

15 (b) (6), (b) (7)(C) stated Munson had a great deal of "paranoia" related to Native American Tribes associated with  
16 EFMO and was very insular in regards to EFMO's operation and any NPS regional operational oversight.  
17 (b) (6), (b) (7)(C) stated in Munson's mind "a good day, month, week is when no calls came from the Regional  
18 Office" and there were no "outside interference or questions" from groups affiliated with EFMO. Munson  
19 would also dissuade his staff from accepting additional funding from the Regional Office since additional  
20 oversight may be an unintended result.  
21

22 (b) (6), (b) (7)(C) stated Munson's paranoia with Native American Tribes was based on his fear that they intended to  
23 acquire the monument. (b) (6), (b) (7)(C) stated EFMO used to have only one phone line and Munson would tie it up  
24 for hours talking to the Superintendent of Pipestone National Monument, Vince Halverson (now deceased),  
25 about this fear.  
26

27 I told (b) (6), (b) (7)(C) about rumors of Native American remains being repatriated "on the sly" by the NPS.  
28 (b) (6), (b) (7)(C) stated he has also heard those rumors and an additional rumor of a mound being built by the NPS to  
29 help justify the purchase/donation of the Founders Pond portion of the monument. (b) (6), (b) (7)(C) stated those  
30 rumors were started before his tenure at EFMO. (b) (6), (b) (7)(C) stated has never seen or heard any information to  
31 substantiate the rumors. (b) (6), (b) (7)(C) stated he only knows of three repatriations (performed during  
32 Superintendent Ewing's tenure). These repatriations are well documented.  
33

34 (b) (6), (b) (7)(C) stated he and six or seven EFMO maintenance employees helped Munson move from his EFMO  
35 home to Prairie du Chien in June or July of 1990. (b) (6), (b) (7)(C) stated the move occurred in one evening and was  
36 chaotic because Munson did not have all of his belongings packed, which was frustrating to (b) (6), (b) (7)(C)  
37 (b) (6), (b) (7)(C) stated there may have been some items moved after he helped.  
38

39 I reviewed my interview notes with (b) (6), (b) (7)(C) and he stated they were accurate.  
40

41 **ATTACHMENTS: None**

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**United States Department of the Interior**  
NATIONAL PARK SERVICE  
Division of Law Enforcement, Security and Emergency Services  
Office of Professional Responsibility

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**WARNINGS AND ASSURANCES TO EMPLOYEE REQUESTED TO PROVIDE INFORMATION ON A VOLUNTARY BASIS**

You are being asked to voluntarily answer questions pertaining to an official investigation or inquiry. Prior to responding to any questions, you should be aware of the following.

- This is a voluntary interview. Accordingly, you do not have to answer questions. No disciplinary action will be taken against you if you choose not to answer questions.
- Any statement you furnish may be used as evidence in any future criminal proceedings or agency disciplinary proceeding, or both.
- If you are willing to speak to me, you should be aware that any knowingly false or misleading answers you give to me may subject you to criminal prosecution and administrative sanctions.

**WAIVER**

I understand the warnings and assurances stated above and I am willing to make a statement and answer questions. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Interviewer's Signature

1/18/12 8:30  
Date/Time:

\_\_\_\_\_  
Witness (if available)

**(b) (6), (b) (7)(C)**

Signature of person being interviewed

1/18/2012 8:29AM  
Date/Time:

VC EFMO  
Location:



**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/19/2012	<b>Report Number:</b> 006
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – Administrative Assistant of Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service.

(b) (6), (b) (7)(C) was ordered by Superintendent Munson to remove the human remains from EFMO's collection and give them to him. (b) (6), (b) (7)(C) stated she filled out the 1990 Report of Survey after removing the remains. (b) (6), (b) (7)(C) stated Munson wanted the remains removed prior to the enactment of the Native American Graves Protection and Repatriation Act. (b) (6), (b) (7)(C) stated she never saw the remains again and never told anyone what she did until this interview.

Date/Time: 01/18/2012 / 08:30 a.m. – 11:25 a.m.  
Location: Effigy Mounds National Monument – Visitor Center Basement  
Person Interviewed: (b) (6), (b) (7)(C)  
Telephone Numbers: 563-873-3821  
Present for Interview: SA Barland-Liles

**DETAILS:**

On Wednesday, January 18, 2012, at approximately 0830 hours, I interviewed (b) (6), (b) (7)(C) in her office in reference to this investigation. (b) (6), (b) (7)(C) stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, reviewed and understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

(b) (6), (b) (7)(C) stated she started working in Effigy Mounds National Monument (EFMO) in 1987 as a seasonal interpretation ranger. During the summer seasons of 1987 - 1990 she was present to overhear a series of conversations between Superintendent Thomas Munson and the Chief Ranger, Jim David, as they expressed "a fear of some sort" about the pending enactment of the Native American Graves Protection and Repatriation Act (NAGPRA). The discussions primarily concerned a desire to remove Native American remains from EFMO's

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 01/19/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1 collection prior to the enactment of NAGPRA. (b) (6), (b) (7)(C) described this concern as “A big black cloud that  
2 was NAGPRA.”

3  
4 (b) (6), (b) (7)(C) stated during the summer season of 1990, Munson ordered her to go through EFMO’s collection  
5 and pull out the items identified as human remains. (b) (6), (b) (7)(C) stated she “Had absolutely no background in  
6 collections or archeology.” (b) (6), (b) (7)(C) stated she used collections or transfer documents created by Shirley  
7 Schermer (Iowa Office of the State Archeologist), during a previous study of EFMO’s collection, to identify the  
8 human remains. (b) (6), (b) (7)(C) stated she placed the remains in at least one box, possibly two, and gave them to  
9 Munson.

10  
11 (b) (6), (b) (7)(C) typed a Report of Survey (July 16, 1990) that included an attached list of the catalog and accession  
12 numbers associated with the removed human remains. I showed (b) (6), (b) (7)(C) a copy of the Report of Survey and  
13 she stated she typed everything on the report. (b) (6), (b) (7)(C) pointed out two handwritten notations on the attached  
14 list. (b) (6), (b) (7)(C) stated she wrote both additions which included the catalog number 7331 to Accession 132  
15 which appears as, “Acc. 132 - 7249, 7331” and catalogue number 110 added to the bottom of the page which  
16 appears as, “Also deaccessioned are catalog portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107,  
17 109 **110** 111, and 132.” (b) (6), (b) (7)(C) stated she believes Munson instructed her to mark the “Abandon” box on  
18 the recommended disposition section of the report. We discussed the employee signatures that appear on the  
19 Report of Survey. (b) (6), (b) (7)(C) stated she believes “in my heart” that (b) (6), (b) (7)(C) (Chief of Maintenance)  
20 knew human remains were being removed from the collection. (b) (6), (b) (7)(C) stated it was likely Don  
21 (b) (6), (b) (7)(C) (Chief Ranger) did not understand or was not accurately told what was being removed.

22  
23 (b) (6), (b) (7)(C) stated Munson told her the remains were to be removed from the collection due to the pending  
24 enactment of NAGPRA. (b) (6), (b) (7)(C) stated “I remember feeling bad” and added “What do you do when you’re  
25 a seasonal ranger when the Superintendent tells you?” (b) (6), (b) (7)(C) believed Munson would bury the remains  
26 somewhere or throw them away but Munson never told her what he was going to do and she never asked.  
27 (b) (6), (b) (7)(C) stated Munson ensured EFMO was isolated from any NPS oversight or involvement therefore, she  
28 had no network or mentor to speak with when she felt something was not right.

29  
30 I asked (b) (6), (b) (7)(C) if the remains got the respect they deserved, (b) (6), (b) (7)(C) stated “Not at all. No.”  
31 (b) (6), (b) (7)(C) restated she remembers being uncomfortable and added “I blindly listened to Tom tell me to do it.”

32  
33 Munson retired from the National Park Service (NPS) in 1994 and was replaced by Superintendent Karen  
34 Gustin. I showed (b) (6), (b) (7)(C) an April 23, 1996 memorandum written by NPS Anthropologist Michelle Watson  
35 to Gustin. (b) (6), (b) (7)(C) stated she recognized the memorandum and believed it was e-mailed to Gustin because it  
36 lacked a routing sticker commonly attached to postal deliveries at EFMO. (b) (6), (b) (7)(C) believed the  
37 memorandum was seen by Gustin. (b) (6), (b) (7)(C) stated she remembers GUSTIN calling Munson and asking  
38 where the remains were located. (b) (6), (b) (7)(C) stated Gustin told her Munson does not know where the remains  
39 are.

40  
41 In 1997, Gustin was replaced by Superintendent Katherine Miller. During Miller’s tenure an Archeologist  
42 (Dale Henning) was contracted by the NPS to search EFMO’s files and collection to attempt to locate the  
43 missing Native American remains. (b) (6), (b) (7)(C) stated she provided Henning with access to EFMO’s files and  
44 the collection. I asked (b) (6), (b) (7)(C) if she ever volunteered to tell Henning that she removed the remains from  
45 the collection on the order of Munson. (b) (6), (b) (7)(C) stated “I probably did not tell Dale that I was ordered to  
46 remove the bones. But I did not withhold information, I was not specifically asked.” (b) (6), (b) (7)(C) stated she  
47 liked Munson and was protecting him, adding “I didn’t want to rat him out.” (b) (6), (b) (7)(C) stated she wanted

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1 Henning to find out through his own independent study. (b) (6), (b) (7)(C) stated “There was a whole world more I  
2 could have done or should have done.”

3  
4 (b) (6), (b) (7)(C) expressed she has worked with the affiliated tribes of EFMO in the subsequent years and developed  
5 many positive relationships. (b) (6), (b) (7)(C) stated “I want this to be resolved.”

6  
7 I showed (b) (6), (b) (7)(C) a handwritten notation on the top of the Report of Survey (“Keep S G 11-17-97”).  
8 (b) (6), (b) (7)(C) stated she knows she wrote the notation because it was her handwriting but she does not remember  
9 doing it. I told her 11/17/1997 was the day Henning came to EFMO to begin his research.

10  
11 (b) (6), (b) (7)(C) remembered receiving Henning’s final report which arrived in 1998. The report was two volumes  
12 and two original copies of those volumes were mailed to EFMO by Henning. (b) (6), (b) (7)(C) stated one of the  
13 copies went onto the Superintendent’s bookshelf and the other was stored in EFMO’s collections room.  
14 (b) (6), (b) (7)(C) stated she believed Superintendent Miller read the report but she never had any discussions with her  
15 related to it. (b) (6), (b) (7)(C) stated she never heard any discussions with other EFMO employees regarding the  
16 report’s findings. (b) (6), (b) (7)(C) stated during Miller’s tenure she was not in charge of EFMO’s collections which  
17 were managed by Park Ranger Chris Harmon and Chief Ranger Mardi Butt-Arce. (b) (6), (b) (7)(C) added Miller  
18 “Put me in my place” and left her out of management team discussions so she would focus on her  
19 administrative duties.

20  
21 In 1999, Superintendent Miller was replaced by Phyllis Ewing. (b) (6), (b) (7)(C) stated she brought the Henning  
22 report to the attention of Ewing. (b) (6), (b) (7)(C) believes no work was done related to the missing remains during  
23 Ewing’s tenure and the reports returned to and remained on the Superintendent’s bookshelf.

24  
25 (b) (6), (b) (7)(C) stated when a box was found in Munson’s garage in Prairie du Chien and returned to EFMO by  
26 Park Ranger Bob Palmer she noticed it contained a black, plastic garbage bag. (b) (6), (b) (7)(C) stated when she  
27 originally placed the Native American remains into the box (or boxes) she gave to Munson she did not use a  
28 garbage bag which led her to believe someone else has been in the box and added the garbage bag.

29  
30 (b) (6), (b) (7)(C) learned Schermer (Iowa Office of the State Archeologist), who had the best knowledge of EFMO  
31 collection during the 1980’s, had looked at the remains brought back to EFMO and believed half of the remains  
32 removed in 1990 from the collection were not included in the box. (b) (6), (b) (7)(C) speculated if she did need two  
33 boxes to store the remains when she removed them from the collection in 1990 that may explain why only half  
34 returned since the other box is still missing. (b) (6), (b) (7)(C) stated in the mid-1990’s she heard a rumor of a box of  
35 remains found on a shelf behind a maintenance shed by a maintenance employee. (b) (6), (b) (7)(C) thought Thomas  
36 (b) (6), (b) (7)(C) may know more about it. (b) (6), (b) (7)(C) also speculated that a former MWAC Archeologist, Bob Nickel,  
37 who was a good friend of Munson, may have the other half because she heard he believed they should not be  
38 repatriated due to their scientific value.

39  
40 I reviewed my interview notes with (b) (6), (b) (7)(C) and she stated they were accurate.

41  
42 **ATTACHMENTS: None**

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National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/18/2012	<b>Report Number:</b> 007

**Report Subject:**

Interview of Thomas Munson – Former Superintendent of Maintenance of Effigy Mounds National Monument

**SUMMARY:**

In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Munson stated in 1990 he received a directive from the National Park Service to remove the Native American remains from EFMO's collection in order to repatriate them. Munson did not know how or where to repatriate them. Munson believes NPS Archeologist at the Midwest Archeological Center removed some of the remains and returned what was left to EFMO where they were stored in a multi-use garage. During a move from NPS housing to his home in Prairie du Chien Munson believes the remains were accidentally mixed with his belongings. Munson stated he attempted to have EFMO staff pick up the remains numerous times.

Date/Time: 01/18/2012 / 3:00 p.m. – 5:38 p.m.

Location: Residence

Person Interviewed: Thomas A. Munson

DOB: (b) (6), (b) (7)(C)

SSN: (b) (6), (b) (7)(C)7

Address: (b) (6), (b) (7)(C). Prairie du Chien, WI 53821

Telephone Numbers: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**DETAILS:**

On Wednesday, January 18, 2012, at approximately 1500 hours, I interviewed Thomas Munson at his home in reference to this investigation. MUNSON stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood his rights and agreed to voluntarily participate. The interview was recorded using handwritten notes. MUNSON refused to allow the interview to be recorded.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 01/18/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

**ISB Case Number: ISB-MW-11-0404**

1 MUNSON stated he became the Superintendent of Effigy Mounds National Monument (EFMO) in 1971 or '72.  
2 He stated he retired from the National Park Service (NPS) in 1994 and has since lost interest in the agency and  
3 the monument.  
4

5 MUNSON stated the bones he had Park Ranger Bob Palmer pick up from his house on April 28, 2011 were  
6 animal bones. I showed MUNSON a copy of a report, *THE ANALYSIS OF HUMAN SKELETAL REMAINS*  
7 *FROM THE MUSEUM COLLECTION AT EFFIGY MOUNDS NATIONAL MONUMENT*, written by Alton K.  
8 Fisher and Shirley J. Schermer from the Iowa Office of the State Archeologist in the mid-1980's. This report  
9 was contracted by the NPS during MUNSON's tenure as Superintendent of EFMO. I also showed him a July  
10 16, 1990 Report of Survey from EFMO and pointed out page two which is an item description list of property to  
11 be "deaccessioned" and includes accession and catalog numbers of human remains in EFMO's museum  
12 collection. I told MUNSON all of the catalog numbers correspond to items described as human remains in the  
13 Fisher/Schermer report and there are no descriptions of animal bones. MUNSON looked at the Report of  
14 Survey, pointed at the catalog numbers, and stated he did not know what they meant.  
15

16 MUNSON stated sometime near 1990 he received a "directive" from Washington D.C. to remove all Native  
17 American remains from EFMO's collection to repatriate them. MUNSON stated "There is no paper" associated  
18 with the directive and he can't remember if it was verbal from Washington D.C. or if it came to him from the  
19 NPS Regional Office.  
20

21 MUNSON stated he did not know of any appropriate place to repatriate the remains and he had no EFMO  
22 subject matter expert nor was he provided the funding to hire an expert to work on the collection or provide  
23 solutions. MUNSON stated the only cemetery available to repatriate the remains, that he knew of, was in  
24 Wisconsin but the remains in the EFMO collection were from Iowa with the Mississippi River being a dividing  
25 feature separating tribes.  
26

27 I again showed MUNSON a July 16, 1990, Report of Survey. We discussed the report. MUNSON stated his  
28 signature appears in three locations on the report and added "If you have your name on a piece of paper it's the  
29 truth, but it ain't." I asked MUNSON if he directed (b) (6), (b) (7)(C) an EFMO Seasonal Park Ranger (in 1990),  
30 to remove the Native American remains from the EFMO collection. MUNSON stated he did in order to fulfill  
31 the directive from Washington D.C. MUNSON added "(b) (6), (b) (7)(C) was following instructions." I asked him why a  
32 Report of Survey was prepared to document the removal of the remains. MUNSON stated the Board of Survey  
33 process was the only way to get the remains out of the collection. I asked MUNSON if he could not find a  
34 proper place to repatriate the remains then what was he going to do with them. MUNSON replied "Store  
35 them."  
36

37 I told MUNSON half of the remains listed on the Report of Survey were not included in the box he handed over  
38 to Park Ranger Palmer. MUNSON stated when the directive came from Washington D.C. to repatriate the  
39 Native American remains the NPS Archeologists at the Midwest Archeological Center (MWAC) in Lincoln  
40 Nebraska "Fought it tooth and nail." MUNSON stated he remembers taking a carload of "stuff" to Lincoln and  
41 leaving it on their doorstep. I asked MUNSON if he drove the remains to Lincoln, he stated "That would be my  
42 guess." MUNSON stated some NPS staff, which he was unable to name, removed the items from his vehicle.  
43 MUNSON speculated the MWAC staff removed the remains they wanted from what he delivered and returned  
44 the remaining items to EFMO. MUNSON was unable to tell me which NPS employee removed the bones but  
45 he told me the names of several employees who worked at MWAC ((b) (6), (b) (7)(C) and  
46 (b) (6), (b) (7)(C)).  
47

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**ISB Case Number: ISB-MW-11-0404**

1 MUNSON stated the remains must have been returned to EFMO where they were stored on a shelf in a garage  
2 that he used for his personal car but was also used by numerous maintenance staff to store equipment, including  
3 items to be surveyed. MUNSON stated he did not know who stored the remains there. Suddenly, for reasons  
4 MUNSON did not understand, the NPS forced him to leave his government home on short notice. MUNSON  
5 was restoring a home in Prairie du Chien. MUNSON stated he hired some high school students and seasonal  
6 NPS maintenance staff to load his belongings into a U-Haul truck, transfer them to Prairie du Chien, and off-  
7 load them. MUNSON stated seasonal maintenance worker, (b) (6), (b) (7)(C), was driving the U-Haul. MUNSON  
8 stated a box of the human remains must have accidentally been removed from the garage and loaded with his  
9 belongings. Since his Prairie du Chien home was being painted he had the high school students leave his  
10 belongings on his side lawn. Later, a “spring tornado warning” forced him to move the belongings into his  
11 garage.

12  
13 I showed MUNSON a Housing Occupancy/Vacancy Inspection Form that indicates his NPS home was  
14 inspected on July 13, 1990, indicating he had already vacated the residence. MUNSON admitted his signature  
15 was on the form. I showed him the date on the Report of Survey indicating the Native American remains were  
16 “deaccessioned” on July 16, 1990. I pointed out his story of what happened to the remains could not have  
17 occurred based on the dates printed on the forms since he left his NPS home prior to the “deaccession.”  
18 MUNSON stated he left his NPS home in 1994. I reminded MUNSON he retired in 1994 and he moved out of  
19 his NPS residence in 1990. MUNSON agreed but stated “Dates on the forms don’t mean anything.” MUNSON  
20 added “I can’t explain all of those discrepancies.”

21  
22 I asked MUNSON why he waited until 2011 to hand the box over to the NPS. MUNSON stated he tried to get  
23 every Superintendent who replaced him to come over and pick up the box. MUNSON stated when he found it  
24 the first time Karen Gustin was the Superintendent (1994 – 1997). Gustin told him they had no place for it due  
25 to a Visitor Center rehabilitation project and asked him to keep the box in his garage. Gustin was replaced by  
26 Katherine Miller and the “pattern was repeated.” MUNSON added Miller showed no interest. Miller was  
27 replaced by Phyllis Ewing, who, through Park Ranger Palmer, expressed she was interested in repatriating the  
28 remains but there was no action.

29  
30 MUNSON stated since Palmer picked up the remains MUNSON found in his garage he has gone through his  
31 garage two or three times and there are no additional human remains. MUNSON stated the garage is not that  
32 big and it was easy to do.

33  
34 MUNSON stated he was still of the opinion the remains went to MWAC and were returned to EFMO without  
35 some of the remains. MUNSON added “My memory is bad.”

36  
37 I asked MUNSON where the other Native American remains were located. He answered “I don’t know” while  
38 shrugging his shoulders.

39  
40 I asked MUNSON if he had any paranoia about NAGPRA or Native American tribes. MUNSON replied his  
41 paranoia is with bureaucrats. MUNSON stated “WASO [Washington Office] could take a simple situation and  
42 drive you bats.”

43  
44 I asked MUNSON if he could do anything different what would he change. MUNSON stated he would have  
45 loaded the box into the temporary trailer EFMO staff were using during Gustin’s tenure (due to the Visitor  
46 Center rehabilitation project) when he first found it in his garage.

47  
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**ISB Case Number: ISB-MW-11-0404**

1 MUNSON stated the employees at WASO should have handled the NAGPRA situation and not bothered  
2 individual park units with it.

3  
4 MUNSON added WASO should find more cemeteries to repatriate remains and put them in more convenient  
5 locations.

6  
7 I reviewed my interview notes with MUNSON and he stated they were accurate.

8  
9 **ATTACHMENTS: None**

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**United States Department of the Interior  
National Park Service  
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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/26/2012	<b>Report Number:</b> 008
<b>Report Subject:</b> Interview of Dr. Mark Lynott – Manager – Midwest Archeological Center			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Dr. Mark Lynott, the Manager of the Midwest Archeological Center (MWAC), stated the missing Native American remains were never transferred to MWAC.

Date/Time: 01/26/2012 / 3:02 p.m. – 4:10 p.m.

Location: Telephone

Person Interviewed: Dr. Mark Lynott

Present for Interview: SA Barland-Liles

**DETAILS:** On Friday, January 26, 2012, at approximately 1502 hours, I interviewed Dr. Mark Lynott by telephone. Lynott stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood his rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

Lynott stated he became the Manager of the Midwest Archeological Center (MWAC) in 1996. Prior to that, he worked for the National Park Service (NPS) as an archeologist.

Lynott stated MWAC has had a tangential involvement with attempts to locate the Native American remains removed from the Effigy Mounds National Monument's (EFMO) collection. Lynott stated discussions at MWAC related to the missing remains have occurred numerous times during his tenure as other NPS employees have been told, primarily by MUNSON, the missing EFMO remains were transferred to MWAC. Lynott stated it is an "absolute impossibility" the remains were transferred to MWAC.

Lynott stated he had very little contact with MUNSON and has no memory of MUNSON ever being at the MWAC office. However, based on the few correspondences he did have with MUNSON, he was left with the

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 01/26/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution:     Original – Case File     Other:                     Other:

1 impression MUNSON did not value archeology or the role MWAC had in the Midwest Region as a subject  
2 matter expert to park managers. Lynott stated he remembers “very specifically” asking MUNSON what could  
3 have happened to the remains. Lynott paraphrased MUNSON’s response as “I guess we’ll never know.”  
4 Lynott stated although he remembers asking MUNSON this question he cannot remember when or where it  
5 took place.  
6

7 Lynott discussed a former MWAC Archeologist, Bob Nickel. Lynott stated out of all of the staff at MWAC,  
8 Nickel was one that developed a relationship with MUNSON beyond “professionally polite.” Lynott believed  
9 MUNSON and Nickel shared a bond and were “kindered in their feelings of isolation and paranoia.” Lynott  
10 stated he would be very surprised if MUNSON did not discuss concerns related to the Native American Graves  
11 Protection and Repatriation Act (NAGPRA) and EFMO’s collection with Nickel during the late 1980’s and  
12 early 1990’s. Lynott stated “If MUNSON talked to anyone it would have been Bob.”  
13

14 Lynott discussed the period following MUNSON’s tenure at EFMO stating he is surprised there appears to be a  
15 lack of effort to advise affiliated Native American tribes about the missing remains. Lynott believes there is a  
16 requirement within NAGPRA to ensure it happens and the responsibility fell upon EFMO’s Superintendent(s).  
17 Lynott stated oversight from the regional office on such matters was nonexistent.  
18

19 Lynott added “The one conclusion that can’t be argued by anyone is our lack of competence as an agency.” He  
20 stated this issue is “...the most glaring” example of that incompetence.  
21

22 I reviewed my interview notes with Lynott and he stated they were accurate.  
23

24 **ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case (b) (6), (b) (7)(C) ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status: Open</b>	<b>Report Date: 01/26/2012</b>	<b>Report Number: 009</b>
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – Maintenance employee – Effigy Mounds National Monument			

1 **SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy  
 2 Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in  
 3 Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson  
 4 retired from the National Park Service (NPS).  
 5

6 (b) (6), (b) (7)(C) an EFMO maintenance employee, painted the interior of MUNSON's Prairie du Chien home in  
 7 preparation for a 1990 move. (b) (6), (b) (7)(C) joined a crew of about fourteen NPS employees who helped MUNSON  
 8 pack up and move into his new home.  
 9

10 Date/Time: 01/26/2012 / 4:15 p.m. – 4:45 p.m.

11 Location: Telephone

12 Person Interviewed: (b) (6), (b) (7)(C)

13 Present for Interview: SA Barland-Liles  
 14

15 **DETAILS:** On Friday, January 26, 2012, at approximately 1615 hours, I interviewed (b) (6), (b) (7)(C) by  
 16 telephone. (b) (6), (b) (7)(C) stated he understood I was a Special Agent with the National Park Service, understood the  
 17 purpose of the interview, understood his rights and agreed to voluntarily participate. The interview was  
 18 recorded using handwritten notes.  
 19

20 (b) (6), (b) (7)(C) stated he has worked as a seasonal or subject-to-furlough maintenance employee in Effigy Mounds  
 21 National Monument (EFMO) since 1986.  
 22

23 (b) (6), (b) (7)(C) stated EFMO's maintenance division shared a garage with MUNSON prior to 1990. (b) (6), (b) (7)(C) stated he  
 24 remembers MUNSON stored his car in the garage as well as gardening tools and a small refrigerator. (b) (6), (b) (7)(C)  
 25 stated there were two grey metal lockers and a metal shelf unit that MUNSON used to store some of his items.  
 26 (b) (6), (b) (7)(C) stated he never saw a cardboard box containing bones in MUNSON's garage or any other storage area in  
 27 EFMO.  
 28

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b> 	<b>Date</b> 01/26/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b> Lester Seago <small>Digitally signed by Lester Seago DN: cn=Lester Seago, o=Investigative Services Branch, ou=Yellowstone Field Office, email=Les_Seago@nps.gov, c=US Date: 2012.01.30 16:00:54 -0700</small>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

ISB Case Number: ISB-MW-11-0404

1 (b) (6), (b) (7)(C) stated he was heavily involved in MUNSON's move to Prairie du Chien. He helped another  
2 maintenance employee, (b) (6), (b) (7)(C), prepare the Prairie du Chien house for the move by painting the  
3 interior. It took about four days. (b) (6), (b) (7)(C) stated they completed painting the interior approximately one week  
4 before the move.

5  
6 (b) (6), (b) (7)(C) stated the moving day was "hot as hell" and occurred in early to mid-July of 1990. The moving crew  
7 included (b) (6), (b) (7)(C) and his wife (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), (b) (6), (b) (7)(C),  
8 (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) and a couple of female seasonal  
9 rangers. The entire crew helped pack MUNSON's belongings in collapsible cardboard boxes. They loaded  
10 everything into personal trucks and a rented U-Haul truck. They completely emptied MUNSON's house and  
11 garage and drove his belongings to Prairie du Chien. (b) (6), (b) (7)(C) stated the crew moved everything into the interior  
12 of the Prairie du Chien home and garage. They finished sometime around 2:00 a.m.

13  
14 I asked (b) (6), (b) (7)(C) if the interior of the Prairie du Chien house was still being painted when he helped MUNSON  
15 move. (b) (6), (b) (7)(C) stated "We had the house done before we moved. I know we did."

16  
17 I asked (b) (6), (b) (7)(C) if any high school kids helped with the move. He stated "I don't remember no high school kids."

18  
19 I asked (b) (6), (b) (7)(C) if any items were stored on MUNSON's lawn. (b) (6), (b) (7)(C) stated everything went in the house and  
20 garage except for outdoor furniture which went on the patio.

21  
22 I reviewed my interview notes with (b) (6), (b) (7)(C) and he stated they were accurate.

23  
24 **ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 01/30/2012	<b>Report Number:</b> 010
<b>Report Subject:</b> Interview of Jim David – Former Chief Ranger – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Jim David stated he worked with the Midwest Archeological Center (MWAC) and Iowa Office of the State Archeologist to properly identify and store the archeological collection of EFMO during the 1980's. David stated directions from MWAC in 1989 were clear that the EFMO collection would remain properly stored pending the enactment of the Native American Graves Protection and Repatriation Act.

Date/Time: 01/30/2012 / 1:39 p.m. – 2:31 p.m.

Location: Telephone

Person Interviewed: Jim David

Present for Interview: SA Barland-Liles

**DETAILS:** On Monday, January 30, 2012, at approximately 1349 hours, I interviewed Jim David by telephone. David stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood his rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

David stated he was the Chief Ranger of Effigy Mounds National Monument (EFMO) from 1980 to 1989.

David stated during his tenure he worked to improve the monument's collection. Collection items were poorly stored under the auditorium of the visitor center in deteriorating cardboard boxes and paper bags. David stated he worked closely with the Midwest Archeological Center (MWAC) to hire Shirley Schermer from the state of Iowa (Office of the State Archeologist) who was able to identify the collection items found in EFMO and separate them from other Iowa archeological research.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 01/30/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution:     Original – Case File     Other:                     Other:

**ISB Case Number: ISB-MW-11-0404**

1 David stated after Schermer's work was complete MWAC staff made it clear the EFMO collection needed to  
2 remain at the monument and be properly stored. David was made aware of the pending enactment of a new  
3 law, the Native American Graves Protection and Repatriation Act (NAGPRA), by MWAC who stated further  
4 action would be determined by that law.  
5

6 I asked David if he remembered any discussions with MUNSON regarding NAGPRA. David stated he could  
7 not remember any discussions. David stated he did not talk to MUNSON much during the last few years of his  
8 EFMO tenure. David described MUNSON as being "retired-in-place" with a "vulture style" of management  
9 which created a great deal of friction between them. David stated MUNSON was also "hitting the bottle pretty  
10 hard" which exacerbated the strains on their working relationship. David stated MUNSON's often did not show  
11 up for work and was not functional as a Superintendent. David stated he was looking to transfer to any  
12 available NPS job to remove him from the EFMO situation.  
13

14 David stated everything he did related to the collection was with the coordination and oversight of MWAC and  
15 had little involvement from MUNSON.  
16

17 **ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/03/2012	<b>Report Number:</b> 011
<b>Report Subject:</b> Interview of Mardi Arce – Former Chief Ranger – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Mardi Arce remembers several attempts to locate missing Native American remains during her tenure at EFMO (1995 – 1999). Arce was told by (b) (6), (b) (7)(C) the remains were shipped to the State of Iowa for reburial prior to the enactment of the Native American Graves Protection and Repatriation Act (NAGPRA).

Date/Time: 02/03/2012 / 11:20 a.m. – 12:30 p.m.

Location: Telephone

Person Interviewed: Mardi Arce

Present for Interview: SA Barland-Liles

**DETAILS:** On Friday, February 3, 2012, at approximately 1120 hours, I interviewed Mardi Arce by telephone. Arce stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

Arce was the Chief Ranger of EFMO from 1995 – 1999. The EFMO collection was under her purview during her tenure. In 1995 and 1996 Arce remembers some concern from regional employees related to human remains that were no longer in the collection. Arce remembers being advised by EFMO's Administrative Assistant, (b) (6), (b) (7)(C) the human remains were removed from the collection prior to the enactment of NAGPRA. (b) (6), (b) (7)(C) told her the collection was transferred to the State of Iowa for reburial.

Arce stated (b) (6), (b) (7)(C) did not tell her specifically when the human remains were removed and assumed it occurred in conjunction with activities that occurred in the mid-1980s. Arce was not aware of a Board of Survey from July 1990 and its relation to the remains; therefore, she did not specifically ask (b) (6), (b) (7)(C) any questions related to that "deaccession." (b) (6), (b) (7)(C) did not volunteer any information or clarifications.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 02/03/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

- 1 Arce stated she was unaware of any research related to the EFMO collection and had never heard of Dr. Dale
- 2 Henning who researched the collection and produced a report in 1997-98.
- 3
- 4 **ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/08/2012	<b>Report Number:</b> 012
<b>Report Subject:</b> Interview of Jacquelin St. Clair – Former Cultural Resource Specialist – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Jacquelin St. Clair was aware of Native American remains missing from the museum collection at EFMO. St. Clair was told by (b) (6), (b) (7)(C) the remains were removed from the collection and disappeared.

Date/Time: 02/08/2012 / 10:20 a.m. – 11:36 a.m.

Location: Telephone

Person Interviewed: Jacquelin St. Clair

Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, February 8, 2012, at approximately 1020 hours, I interviewed Jacquelin St. Clair by telephone. St. Clair stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

St. Clair was the Cultural Resource Specialist of EFMO from 1999 – 2001. The EFMO museum collection was under her purview during her tenure. Shortly after arriving at EFMO, St. Clair remembers making a trip to the Midwest Archeological Center (MWAC) in Lincoln Nebraska. She learned from their archeological staff of Native American remains missing from EFMO's collection. She understood attempts were made to locate the remains without success and the matter was considered "water under the bridge."

Upon returning to EFMO, St. Clair stated she had a conversation with (b) (6), (b) (7)(C) EFMO's Administrative Assistant. St. Clair stated "She did tell me that they packed them up and when they came to get the boxes they were gone." I asked St. Clair if (b) (6), (b) (7)(C) specified the individuals involved or knew who "they" were or where they were from or affiliated with. St. Clair said no and added "I assumed she [(b) (6), (b) (7)(C)] was involved somehow but didn't know how." St. Clair stated (b) (6), (b) (7)(C) did not volunteer any additional information.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 02/09/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

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1 St. Clair stated she remembers conversations with NPS employees over time where the consensus was “Munson  
2 is the kind of guy that would just bury them himself.” St. Clair was unable to remember specifically whom she  
3 heard this from.

4  
5 St. Clair stated while she was at EFMO she read a report written by Archeologist Dr. Dale Henning which  
6 indicated the Native American remains had disappeared.

7  
8 St. Clair stated she did not look into the matter any further and, in retrospect, had the impression the NPS did  
9 not want her to look into it, possibly because she is enrolled in the Seminole Nation of Oklahoma. St. Clair  
10 stated she was never told not to look into the matter but she had the impression the NPS felt there was no reason  
11 too. St. Clair stated she was busy with other EFMO cultural resource issues.

12  
13 St. Clair stated her tenure at EFMO was cut short by a “hostile work environment” she believes was created by  
14 EFMO’s Superintendent, Phyllis Ewing. St. Clair stated Ewing marginalized her position and removed  
15 responsibilities to the point where she was merely performing curatorial work that was far below her training,  
16 experience, and position description. In 2001 she left EFMO for a position at Grand Teton National Park.

17  
18 **ATTACHMENTS: None**

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**United States Department of the Interior  
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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/15/2012	<b>Report Number:</b> 013
<b>Report Subject:</b> Interview of Carolyn Wallingford – Former Regional Curator – Midwest Region			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Carolyn Wallingford managed the museum collections program for the Midwest Region. In the mid-1990's she attempted to assist EFMO with raising their collections management to a more professional level. Wallingford stated NPS cultural resource personnel did not provide the proper advice to EFMO to interpret and react to the improper removal of Native American remains from their collection.

Date/Time: 02/15/2012 / 09:30 a.m. – 12:00 p.m.

Location: 1000 Oxbow Dr. Ashland NE

Person Interviewed: Carolyn Wallingford

Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, February 15, 2012, at approximately 0930 hours, I interviewed Carolyn Wallingford at her residence. Wallingford stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

Wallingford stated she had worked in the regional curatorial office since 1983 and had recently retired from the National Park Service (NPS). Her title was the Regional Collections Program Manager. Wallingford stated one of her responsibilities was to review annual inventories of museum property for all 56 NPS units in the Midwest Region. Wallingford stated she was a “bulldog about 100% inventories” of collections in NPS units.

Wallingford stated she had been to EFMO in the mid-1990's [Aug. 20-23, 1996] with a “Curatorial Strike Team” at the request of the park due to a “laundry list” of issues related to their museum collection. Wallingford stated her team attempted to address many issues related to basic museum collection management which the park fundamentally lacked. One of the issues was related to concerns associated with previous deaccession

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 02/15/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

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1 procedures. Wallingford stated her team ran out of time to work on that issue but hoped to return. She was  
 2 unable to return due to her (b) (6), (b) (7)(C) .  
 3

4 Wallingford stated in early May of 2011, she was approached by her supervisor, Associate Regional Director  
 5 Steve Adams, who received a call from EFMO's superintendent (Nepstad) stating a box of human remains was  
 6 recovered by NPS staff. Adams asked Wallingford to travel to EFMO to inspect the remains. Wallingford  
 7 travelled to the park with the regional staff curator, Keeley Rennie-Tucker.  
 8

9 Upon arriving they were brought to the EFMO collections room by (b) (6), (b) (7)(C) EFMO's Administrative  
 10 Assistant. Wallingford asked (b) (6), (b) (7)(C) for EFMO's deaccession records. (b) (6), (b) (7)(C) stated they were locked up in  
 11 a safe and she did not have access. Wallingford admitted she was "feeling her way in the dark" and had never  
 12 been involved in a similar issue or worked with human remains. Wallingford stated she and Tucker spent three  
 13 concentrated, disturbing and focused days working with the remains to determine what was recovered.  
 14

15 Wallingford stated she was able to use accession records and a 1988 report by Dr. Dale Henning (*Accession*  
 16 *History and Status of Accessioned Materials and 1986 & 1990 Deaccessioned Items and Objects*) to determine  
 17 the recovered remains were approximately half of the remains removed from EFMO's collection in 1990.  
 18 Wallingford stated she had not previously reviewed Dr. Henning's report because she is not an archeologist.  
 19 Wallingford and Tucker completed a spreadsheet documenting their findings. Wallingford stated she felt a  
 20 responsibility to be as meticulous and reverent as possible.  
 21

22 I showed Wallingford a July 16, 1990 Report of Survey from EFMO and explained the relationship between the  
 23 document and the remains she inspected last May. Wallingford stated she had never seen the first page of the  
 24 report. She stated it was obvious to her the Report of Survey did not represent a legal "deaccession." She  
 25 stated a deaccession of human remains would document the forfeiture of "title" or custodial control of those  
 26 items from one rightful entity to another. The Report of Survey clearly shows these items were being  
 27 abandoned by the NPS which is impossible to legally do. She also described the findings and determinations  
 28 statement as "sketchy." Wallingford stated in 1990 there was no process to "deaccession" human remains from  
 29 museum collections.  
 30

31 I showed Wallingford a May 13, 1998 email from Regional Anthropologist Michelle Watson to EFMO  
 32 Superintendent Katherine Miller. The email refers to Watson's review of the report by Dr. Dale Henning. I had  
 33 Wallingford read the following statement, "Also, if it is known that certain skeletal remains and other objects in  
 34 your collection cannot be accounted for, then they should be deaccessioned (after the fact), which is completely  
 35 acceptable." Wallingford stated this statement was "wiggly" and the advice is an "incomplete instruction based  
 36 on incomplete understanding."  
 37

38 I showed Wallingford a July 2, 1998 Memorandum from Michelle Watson to Sue Thompson which is a review  
 39 of the second draft of Dr. Dale Henning's report. Within the memorandum Watson states, "If, after careful  
 40 review, items cannot be located in park collections, they may need to be considered as "lost accessions." Until  
 41 a missing item (that is not yet on the NAGPRA Summary or Inventory) can be found, it remains a collections  
 42 management issue not a NAGPRA issue." Wallingford stated Watson should have shared and discussed this  
 43 information with other cultural resource disciplines in order to provide the superintendent with the proper tools  
 44 needed to address these issues. Wallingford stated it is clearly an interdisciplinary issue (Curator, NAGPRA  
 45 coordinator, archeologist, anthropologist) and the advice is incorrect.  
 46  
 47

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- 1 **ATTACHMENTS:** Wallingford/ Rennie-Tucker spreadsheet, EFMO Report of Survey July 16, 1990, May 13,
- 2 1998 e-mail, July 2, 1998 Memorandum.

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/15/2012	<b>Report Number:</b> 014
<b>Report Subject:</b> Interview of Dr. Michael Evans – Senior Regional Cultural Anthropologist			

1 **SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy  
 2 Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in  
 3 Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson  
 4 retired from the National Park Service (NPS).  
 5

6 Dr. Michael Evans stated the Regional Anthropologist provided poor advice to EFMO after it was discovered  
 7 Native American remains were removed from the museum collection.  
 8

9 Date/Time: 02/15/2012 / 1:00 p.m. – 2:30 p.m.  
 10 Location: Midwest Regional Office, Omaha NE  
 11 Person Interviewed: Dr. Michael Evans Ph.D.  
 12 Present for Interview: SA Barland-Liles  
 13

14 **DETAILS:** On Wednesday, February 15, 2012, at approximately 1300 hours, I interviewed Dr. Michael Evans  
 15 Ph.D. at the Midwest Regional Office in reference to this investigation. Evans stated he understood I was a  
 16 Special Agent with the National Park Service, understood the purpose of the interview and agreed to participate.  
 17 The interview was recorded using handwritten notes.  
 18

19 Evans stated he has worked for the National Park Service since 1994.  
 20

21 Evans stated during the mid-1990's there was a great deal of disarray within the Midwest Region due to an  
 22 ongoing reorganization of responsibilities and a redefined relationship between NPS units and the Regional  
 23 Office. Within the cultural resource management portion of the NPS there was an additional level of confusion  
 24 due to the enactment of the Native American Graves Protection and Repatriation Act (NAGPRA). Evans  
 25 described the confusion as a "wrestling match" between the various cultural resource management disciplines as  
 26 they attempted to decide which discipline was the most appropriate to provide oversight for matters related to  
 27 NAGPRA. Evans stated this wrestling match was occurring, and procedures were evolving, while revised  
 28 drafts of NAGPRA regulations were being developed during the law's first five years. Evans stated "We made  
 29 it up as we go along. Had too."

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b> 	<b>Date</b> 02/15/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b> Lester Seago	<b>Date</b>

Digitally signed by Lester Seago  
 DN: cn=Lester Seago,  
 o=Investigative Services Branch,  
 ou=Yellowstone Field Office,  
 email=Les\_Seago@nps.gov, c=US  
 Date: 2012.02.28 11:21:50 -07'00'

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1 Evans stated NAGPRA issues were managed by personnel at the Midwest Archeological Center (MWAC)  
2 which created some tension and sensitivity. Evans explained archeologists may not be the most appropriate  
3 professionals to provide agency oversight of a law like NAGPRA since they are the researchers that excavate  
4 sites and potentially remove human remains.

5  
6 I showed Evans several documents which appeared to indicate the superintendent's of EFMO during the mid-  
7 1990's were turning to Michelle Watson, a NPS Cultural Anthropologist, for advice related to NAGPRA and  
8 museum collections. Evans reviewed an April 23, 1996 memorandum from Watson to Superintendent Gustin, a  
9 March 27, 1998 and May 13, 1998 memorandum to Superintendent Miller. I also showed Evans a July 16,  
10 1990 Report of Survey from EFMO and discussed some investigative findings discovered thus far to provide  
11 him with context.

12  
13 Evans stated he supervised but did not hire Watson and found her to be "terribly insecure" due to her  
14 educational background. She had an MA in Anthropology rather than a Ph.D. and Evans surmised she may  
15 have compensated for that deficiency at times. Evans stated Watson would have known the 1990 "deaccession"  
16 was improper if she had seen the Report of Survey document. Evans stated Watson provided poor advice to the  
17 EFMO Superintendents related to the "deaccession" issue however, he did not believe there was any intent to be  
18 malicious.

19  
20 **ATTACHMENTS:** July 16, 1990 EFMO Report of Survey, April 23, 1996 Memorandum, March 27, 1998 e-  
21 mail, May 13, 1996 Memorandum.

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/16/2012	<b>Report Number:</b> 015
<b>Report Subject:</b> Interview of Florencia “Friday” Wiles – Administrative Officer – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990’s after Munson retired from the National Park Service (NPS).

Florencia Wiles stated she had no knowledge of the removal of human remains from EFMO’s collection and was never informed of the incident from her Administrative Assistant, (b) (6), (b) (7)(C)

Date/Time: 02/16/2012 / 8:25 a.m. – 10:13 a.m.

Location: Telephone

Person Interviewed: Florencia “Friday” Wiles

Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, February 16, 2012, at approximately 0825 hours, I interviewed Florencia “Friday” Wiles by telephone. Wiles stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

Wiles stated she had been the Administrative Officer at Effigy Mounds National Monument (EFMO) since 1989.

I sent Wiles a July 16, 1990 Report of Survey from EFMO and asked her to review it. Wiles stated she had never seen it before and asked me to describe what the accession and catalogue numbers on the survey’s attached form represent. I told her they were Native American remains. Wiles stated “Why would they do that!” Wiles added “There is no way in God’s green earth that I would have done something like that!” I asked Wiles why she was not involved as the administrative officer. Wiles stated she had previously worked as the administrative officer of the Midwest Archeological Center (MWAC) and speculated she may have been “kept out of the loop” because of the experience she had with people who work with archeological collections. Wiles added it would be highly unusual for her position to have any involvement in EFMO’s collections.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 02/16/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

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Wiles stated she remembers hearing rumors of human bones kept in “boxes” from that time and another rumor that something was buried within the park by NPS staff. Wiles stated she speculated it had something to do with NAGPRA but had no additional information.

I asked Wiles if she remembers ever hearing of former Superintendent Thomas Munson discussing driving to MWAC to deliver items from EFMO’s museum collection. Wiles said no. I asked if she ever received a shipment from MWAC of museum collection items. Wiles said no. I asked her if EFMO Administrative Assistant ever discussed her involvement with removing Native American remains from the museum collection. Wiles said no.

Wiles stated she does not remember work related to this matter during Superintendent Karen Gustin’s tenure but does remember Superintendent Katherine Miller drafting a scope of work for a collections research project performed by Dr. Dale Henning and remembers writing the service order for that project.

**ATTACHMENTS: None**

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 02/16/2012	<b>Report Number:</b> 016
<b>Report Subject:</b> Interview of Michelle Hinchcliff – Former Regional Anthropologist – Midwest Region			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990’s after Munson retired from the National Park Service (NPS).

Michelle Hinchcliff (formerly Michelle Watson) stated she does not remember any issues related to Native American remains missing from EFMO’s museum collection. Hinchcliff reviewed numerous documents and concluded she must have been the author of the documents but does not remember writing them. Hinchcliff stated much of the advice in those documents provided to EFMO Superintendent’s related to the missing remains was poor.

Date/Time: 02/16/2012 / 12:15 p.m. – 2:10 p.m.  
 Location: H & H Chevrolet – Omaha NE  
 Person Interviewed: Michelle Hinchcliff  
 Present for Interview: SA Barland-Liles, Steve Hinchcliff

**DETAILS:** On Wednesday, February 16, 2012, at approximately 1215 hours, I interviewed Michelle Hinchcliff (formerly Michelle Watson) at her husband’s (b) (6), (b) (7)(C) dealership in (b) (6), (b) (7)(C). Hinchcliff stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

I handed Hinchcliff a July 16, 1990 Report of Survey from Effigy Mounds National Monument (EFMO). Hinchcliff stated she had never seen the report before. I told her I have seen a 1996 facsimile of the Report of Survey from EFMO’s superintendent to her. Hinchcliff stated she did not remember it. I asked Hinchcliff to examine the Report of Survey. Hinchcliff stated there are many problems with the document.

We discussed some of my findings with the investigation related to the 1990 “deaccession” of Native American remains in EFMO’s collection. Hinchcliff studied the Report of Survey and read out loud the findings and determinations statement and stated “That’s wrong.” Hinchcliff also pointed out the “abandoned” box in the

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 02/16/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

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1 recommended disposition section is checked on the form. Hinchcliff stated it is impossible to officially  
2 abandon human remains in a museum collection.

3  
4 I showed an April 23, 1996 memorandum from Hinchcliff to EFMO Superintendent Karen Gustin. Hinchcliff  
5 stated "I can't recall this." Hinchcliff reviewed the document. She stated she was perplexed by the heading on  
6 the memorandum ("**KAREN, VOID THIS MEMO PLEASE; FEED IT TO THE BIRDS**") and reiterated  
7 she does not remember writing the memorandum. Hinchcliff read through the document and stopped at the top  
8 of page 4. Hinchcliff pointed to and read out loud an entry that stated "All twenty accessions listed in the  
9 Fisher/Schermer (n.d.) report were apparently deaccessioned by EFMO prior to November 16, 1990, and thus  
10 were not required to be reported under NAGPRA." Hinchcliff stated the advice was not entirely accurate.

11  
12 I pointed out in paragraph three of page 4 an entry that included "These accessions, or uncataloged and/or  
13 cataloged portions of these accessions, were apparently deaccessioned from EFMO on 7/16/90. **However,**  
14 **there is no evidence as to the disposition or whereabouts of these deaccessioned materials. EFMO is**  
15 **unsure of the location or disposition of them."** I pointed out the "deaccession date match the date on the  
16 Report of Survey and indicated she must have seen the document in 1996 to complete the memorandum.  
17 Hinchcliff stated she still does not remember writing the memorandum. I asked her if someone else could have  
18 written it. Hinchcliff stated it must have been her and nobody "framed" her, she just cannot remember writing  
19 it. Hinchcliff added "I feel awful" and spoke for some time about what she does remember from that time. She  
20 stated she remembers the intensity and volume of the work and the positive relationships she was making,  
21 particularly with tribal members throughout the U.S. She also remembers being selected to represent the  
22 National Park Service (NPS) at an event in Germany because she is bilingual. Hinchcliff stated she is not sure  
23 why she cannot remember the circumstances related to the EFMO issue or the documents but believes she is the  
24 author of these documents.

25  
26 I showed Hinchcliff a May 13, 1998 e-mail from her to EFMO Superintendent Katherine Miller. Hinchcliff  
27 read a paragraph I had highlighted, "Also, if it is known that certain skeletal remains and other objects in your  
28 collections cannot be accounted for, then they should be deaccessioned (after the fact), which is completely  
29 acceptable." Hinchcliff stated she does not remember writing the e-mail and stated she is troubled by the  
30 advice. I asked her if it was unusual for a cultural anthropologist to provide advice on collections management  
31 or NAGPRA to superintendents. Hinchcliff said Dr. Michael Evans "...was the only NPS employee in the  
32 Midwest that was versed enough to know what to do about NAGPRA." Hinchcliff admitted "This is bad  
33 advice." Hinchcliff added guidance on museum collections came primarily from Evans as well as the Regional  
34 Curator Carolyn Wallingford, with additional input from Archeologists Tom Thiessen and Jan Dial-Jones.

35  
36 Hinchcliff stated she felt like people were pointing the finger at her. Hinchcliff stated "I was adequately  
37 advised and I trusted the people I went to for advice and leadership." Hinchcliff added "I know we were all  
38 working like crazy to get things done and to follow the law."

39  
40 Hinchcliff admitted "I should recall some of this and I don't."

41  
42 **ATTACHMENTS:** July 16, 1990 Report of Survey, April 23, 1996 Memorandum, May 13, 1998 e-mail.

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**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 03/06/2012	<b>Report Number:</b> 017
<b>Report Subject:</b> Interview of Kathleen Miller – Former Superintendent 1997–1999 – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

Kathleen Miller stated she was not able to see the need for further investigation of Native American remains missing from EFMO's collection while she was Superintendent (1997-1999). Miller admitted in hindsight she should have taken more initiative. Miller speculated she did not advise the Native American Tribes affiliated with EFMO about the missing Native American remains because she ran out of time.

Date/Time: 03/06/2012 / 4:53 p.m. – 6:05 p.m.

Location: Telephone

Person Interviewed: Kathleen Miller

Telephone number: (b) (6), (b) (7)(C)

E-mail address: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**DETAILS:**

On Tuesday, March 6, 2012, at approximately 1653 hours, I interviewed Kathleen Miller by telephone. Miller stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

On March 29, 2012, I e-mailed three documents to Miller for her to review in preparation for this interview. The documents included notes she made on November 17, 1997, and November 18, 1997, after she spoke with former Effigy Mounds National Monument (EFMO) Superintendent Thomas Munson, and a letter she wrote on September 4, 1998, to Dr. Dale Henning.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 03/06/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1 Miller stated reviewing the documents “dusted off some cobwebs” but she still has difficulty remembering  
2 details of her tenure at EFMO. Miller stated she recognized the documents and they were written by her. She  
3 described the language in the letter to Dr. Henning as “stilted” but explained she was writing the letter partially  
4 on behalf of numerous National Park Service (NPS) employees who had reviewed and commented on a draft  
5 report prepared by Henning.  
6

7 I discussed notes Miller made after a telephone conversation with Thomas Munson on November 17, 1997. I  
8 explained the date she had the conversation was the same day Dr. Henning arrived at EFMO to perform an  
9 investigation of Native American remains missing from the collection. Miller stated she was not aware the  
10 events occurred on the same day but speculates Dr. Henning’s arrival was why she called Munson. Miller’s  
11 notes included, “As I understood what Tom was telling me, the items were deaccessioned in 1990. The  
12 materials were stored in a box in a locker in the maintenance area. He said the locker was was [sic] moved  
13 outside and eventually junked – and the box probably went out with it.” Miller stated, “I know I pretty much  
14 accepted the line that they are gone and nobody can do anything about it.”  
15

16 Miller stated she is more fully educated now and can see Munson was describing a very troubling circumstance.  
17 She stated she is not trying to weasel out of any responsibility over this matter but stated at the time all of the  
18 knots had not been untied related to this riddle. Miller expressed for her there was not one moment where a big  
19 red flag went off and she recognized the need for a law enforcement investigation. Miller added “It just didn’t  
20 happen for me” and “I regret this mystery could have been resolved earlier.”  
21

22 Miller mentioned she had a cultural resources background and knew numerous NPS staff affiliated with cultural  
23 resources management were relieved her experience would be utilized during her tenure at EFMO. Miller  
24 explained she was sorry if she let those people down. She stated she now understands there were many red  
25 flags. At the time her day to day concerns were associated with professionalizing EFMO staff and shaking them  
26 out of the “doldrums” to ensure the mission of the NPS was the focus of their daily efforts. Miller stated she  
27 also focused her efforts toward identifying the Native American Tribes affiliated with EFMO and establishing  
28 positive relationships with them. Toward the end of her tenure she felt these efforts culminated with the first  
29 Native American Heritage Festival at EFMO.  
30

31 Despite the improvements with EFMO’s operation and tribal relationships, Miller volunteered she never felt she  
32 had an employee that would confide in her. She described them as guarded about disclosing information related  
33 to EFMO’s history and previous operational practices. Miller stated this was particularly true with her  
34 Administrative Assistant, (b) (6), (b) (7)(C) Miller described her as unhelpful and a source of frustration. Miller  
35 stated she never took the initiative to discuss the missing remains issue with any EFMO employee, “eyeball to  
36 eyeball,” and no employee ever volunteered any information beyond unsubstantiated rumors.  
37

38 Miller stated cultural resources personnel live in a, “very compartmentalized world,” and very few are able to,  
39 “bridge the gap,” when a violation occurs. Miller stated she was still confused by the numerous rumors related  
40 to the remains. These rumors included transfers to the Midwest Archeological Center and/or the State of Iowa  
41 and an additional rumor of the remains secretly buried within EFMO. Miller stated there were so many  
42 unknowns she could not decisively know what happened to the human remains. Miller stated this does not let  
43 her off the hook for not taking more initiative. Miller stated, “I just feel really sad that I wasn’t smart enough  
44 and more astute looking into things that caught my attention instead of just a muddle.”  
45

46 I asked Miller why the information from her telephone conversations with Munson were not included in the  
47 report completed by Dr. Dale Henning. Miller stated she did not know and added, “I apparently did not connect

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1 those dots.” Miller stated she also had more faith in EFMO’s filing system than she should have and added, “It  
2 wasn’t like I wouldn’t give him everything I had.” I asked Miller if the information may have been withheld  
3 due to the detrimental effects it could have on her efforts to establish relationships with the affiliated tribes.  
4 Miller stated, “I don’t think I ever had that thought that this would not be strategic.” Miller added, “I’m not a  
5 devious or calculating person.”  
6

7 I asked Miller to review the letter she wrote to Dr. Henning on September 4, 1998. I referred to the second  
8 paragraph which includes, “I am so pleased with your dedicated effort on this project and the useful results it  
9 has produced. The reports will be at my right hand over the next several months as we proceed with NAGPRA  
10 consultations. I greatly appreciate the clear and useable presentation of your findings and the inclusion of  
11 sufficient narrative to enable future readers to understand how you arrived at your conclusions.” I asked Miller  
12 why the NAGPRA consultations did not occur and why the Affiliated Tribes were not presented with the  
13 findings of the report. Miller stated she would not have presented the findings while the report was still in the  
14 form of a draft. Miller stated she does not remember receiving the finalized report and speculated she may have  
15 been so busy organizing the Native American Heritage Festival at the end of her EFMO tenure that she did not  
16 have time to take appropriate action.  
17

18 **ATTACHMENTS:** November 17, 1997 notes (Munson telephone interview), November 18, 1997 notes  
19 (Munson telephone interview), September 4, 1998 letter to Dr. Dale Henning.

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**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 03/07/2012	<b>Report Number:</b> 018
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – Assistant Director - Federal Preservation Institute			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

(b) (6), (b) (7)(C) stated there is a possibility of (b) (6), (b) (7)(C) former NPS Chief Archeologist, advising superintendents to remove Native American remains from museum collections prior to the enactment of the Native American Graves Protection and Repatriation Act.

Date/Time: 03/07/2012 / 1:48 p.m. – 2:00 p.m. – 2:20 p.m. – 2:40 p.m.

Location: Telephone

Person Interviewed: (b) (6), (b) (7)(C)

Telephone number: (b) (6), (b) (7)(C)

Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, March 7, 2012, at approximately 1348 hours, I interviewed (b) (6), (b) (7)(C) by telephone. (b) (6), (b) (7)(C) stated he understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood his rights and agreed to voluntarily participate. The interview was recorded using handwritten notes.

(b) (6), (b) (7)(C) is the (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) stated in 1990 he was an archeologist for the National Park Service (NPS) working in the Archeological Assistance Program. He was supervised by (b) (6), (b) (7)(C) who was the Chief Archeologist for the NPS and the Departmental Consulting Archeologist for the Department of the Interior. (b) (6), (b) (7)(C) was responsible for the national Native American Graves Protection and Repatriation Act (NAGPRA) program. Prior to the enactment of NAGPRA (November 16, 1990) (b) (6), (b) (7)(C) was actively involved in consultations, educational programs and seminars to prepare the NPS and other Federal agencies. (b) (6), (b) (7)(C) stated the NPS had been preparing for the enactment of NAGPRA since at least 1983.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 03/07/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1  
2 I asked (b) (6), (b) (7)(C) if he had any knowledge of (b) (6), (b) (7)(C) telling any superintendent to remove Native  
3 American remains from museum collections prior to the enactment of NAGPRA. (b) (6), (b) (7)(C) stated he had no  
4 personal knowledge of any such action but added "It wouldn't surprise me if that happened." (b) (6), (b) (7)(C) stated  
5 he was aware of (b) (6), (b) (7)(C) advocating for parks and other agencies to consider the human remains within  
6 their collections to be unaffiliated in order to avoid future NAGPRA related consultations. (b) (6), (b) (7)(C) stated "It  
7 was clear he was looking for ways to minimize the impact of NAGPRA."

8  
9 (b) (6), (b) (7)(C) suspected if he instructed a superintendent to remove Native American remains from a collection  
10 prior to the enactment of NAGPRA it was because he had found a "willing ear." (b) (6), (b) (7)(C) described  
11 (b) (6), (b) (7)(C) as an "obfuscator" and "cagey." (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) would not be the one to initiate  
12 such a contact but would take advantage of any opportunity presented by a superintendent. (b) (6), (b) (7)(C) stated  
13 such an act required a "two to tango scenario."

14  
15 (b) (6), (b) (7)(C) emphasized he heard many superintendents were opposed to (b) (6), (b) (7)(C) stance and had the  
16 integrity to dismiss it.

17  
18 (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) has retired from the NPS and is now the (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C)  
19 (b) (6), (b) (7)(C)

20  
21 **ATTACHMENTS:** None

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**United States Department of the Interior**  
NATIONAL PARK SERVICE  
Division of Law Enforcement, Security and Emergency Services  
Office of Professional Responsibility

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**WARNINGS AND ASSURANCES TO EMPLOYEE REQUESTED TO PROVIDE INFORMATION ON A VOLUNTARY BASIS**

You are being asked to voluntarily answer questions pertaining to an official investigation or inquiry. Prior to responding to any questions, you should be aware of the following.

- This is a voluntary interview. Accordingly, you do not have to answer questions. No disciplinary action will be taken against you if you choose not to answer questions.
- Any statement you furnish may be used as evidence in any future criminal proceedings or agency disciplinary proceeding, or both.
- If you are willing to speak to me, you should be aware that any knowingly false or misleading answers you give to me may subject you to criminal prosecution and administrative sanctions.

**WAIVER**

I understand the warnings and assurances stated above and I am willing to make a statement and answer questions. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

  
\_\_\_\_\_  
Interviewer's Signature

05/16/12      0805  
Date/Time:

\_\_\_\_\_  
Witness (if available)

**(b) (6), (b) (7)(C)**  
\_\_\_\_\_  
Signature of person being interviewed

5/16/2012      8:05  
Date/Time:

\_\_\_\_\_  
Location:



**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>		<b>ISB Case Number: ISB-MW-11-0404</b>	
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 05/16/2012	<b>Report Number:</b> 019
<b>Report Subject:</b> Interview of (b) (6), (b) (7)(C) – Administrative Assistant – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

(b) (6), (b) (7)(C) stated she was orders by Superintendent Thomas Munson to remove all the human remains from EFMO's collection in 1990 to avoid the implications of the soon to be enacted Native American Graves Protection and Repatriation Act. (b) (6), (b) (7)(C) stated she believes she remembers walking with Munson as they both carried a box of human remains to his car and putting them in his trunk. (b) (6), (b) (7)(C) believes she remembers Munson telling her he was taking the remains to his house, which was in Prairie du Chien Wisconsin.

Date/Time: 05/16/2012 / 8:00 a.m. – 11:25 a.m.  
Location: Effigy Mounds National Monument  
Person Interviewed: (b) (6), (b) (7)(C)  
Present for Interview: SA Barland-Liles

**DETAILS:** On Wednesday, May 16, 2012, at approximately 0800 hours, I interviewed (b) (6), (b) (7)(C) at Effigy Mounds National Monument (EFMO). (b) (6), (b) (7)(C) stated she understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood her rights and agreed to voluntarily participate. The interview was recorded using handwritten notes. (b) (6), (b) (7)(C) was previously interviewed on January, 19, 2012 (ROI #006).

(b) (6), (b) (7)(C) stated in 1990 she was ordered by Superintendent Thomas Munson to remove all human remains from EFMO's museum collection. (b) (6), (b) (7)(C) said she did not realize she may be or might have violated any laws until I interviewed her on January 18, 2012. (b) (6), (b) (7)(C) admitted she was ethically troubled by Munson's order. (b) (6), (b) (7)(C) stated her failure to disclose what she knew during the subsequent twenty-two years was not an attempt to violate any laws she was just hoping it would be independently discovered and save her from being the source.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date</b> 05/16/2012
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1 (b) (6), (b) (7)(C) stated MUNSON made it clear the human remains had to be removed prior to the enactment of the  
2 Native American Graves Protection and Repatriation Act (NAGPRA). (b) (6), (b) (7)(C) was led to believe by  
3 Munson if they removed the remains then, "in bulk," they would save themselves a great deal of time and hassle  
4 later. (b) (6), (b) (7)(C) stated Munson expressed a great deal of uncertainty about the implications of NAGPRA and  
5 how the law would affect EFMO's museum collection. One of the uncertainties involved the funerary objects  
6 associated with the remains. (b) (6), (b) (7)(C) stated Munson speculated if the remains were removed from the  
7 collection EFMO may be able to maintain possession of the funerary objects because they will no longer be  
8 associated with the remains. (b) (6), (b) (7)(C) stated Munson seemed to value the objects more than the human  
9 remains.

10  
11 (b) (6), (b) (7)(C) speculated it took several days for her to complete the removal of the remains from the collection.  
12 She had other duties related to her seasonal interpretation position and would not have been able to dedicate a  
13 full shift to complete Munson's order.

14  
15 (b) (6), (b) (7)(C) stated she believes she filled two boxes with the human remains. She believes she carried them out  
16 of the visitor center to the parking lot with Munson and they put them in the trunk of his brown or dark blue  
17 Ford Taurus. (b) (6), (b) (7)(C) believes Munson had already moved out of government housing and was living in  
18 Prairie du Chien. (b) (6), (b) (7)(C) believes Munson told her he was taking the boxes to his home although her  
19 memory is vague. Although (b) (6), (b) (7)(C) felt uncomfortable with the process (ethically) she did not sense any  
20 discomfort from Munson.

21  
22 (b) (6), (b) (7)(C) stated if Munson was actually going to do something legitimate with the remains he would have  
23 told her, for instance, transferring them to the Midwest Archeological Center. (b) (6), (b) (7)(C) felt he was either  
24 going to bury them or throw them away but Munson never mentioned anything. From an ethical point of view,  
25 considering the two choices, she hoped he'd bury them.

26  
27 (b) (6), (b) (7)(C) stated Munson never mentioned receiving any directives or other orders associated with his  
28 instructions to remove the human remains.

29  
30 **ATTACHMENTS:** None

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**United States Department of the Interior  
National Park Service  
Investigative Services Branch**



**Investigative Activity Report**

<b>Case Title: Effigy Mounds National Monument – Native American remains</b>	<b>ISB Case Number: ISB-MW-11-0404</b>		
<b>Location: Effigy Mounds National Monument</b>	<b>Case Status:</b> Open	<b>Report Date:</b> 05/17/2012	<b>Report Number:</b> 020
<b>Report Subject:</b> Interview of Thomas Munson – Former Superintendent – Effigy Mounds National Monument			

**SUMMARY:** In April of 2011, Native American remains that once belonged in the museum collection of Effigy Mounds National Monument (EFMO) were discovered in the garage of former Superintendent Tom Munson in Prairie du Chien WI. Numerous attempts to locate these remains occurred throughout the 1990's after Munson retired from the National Park Service (NPS).

The following is an interview of Thomas Munson and his wife, (b) (6), (b) (7)(C). The interview revealed Munson had fabricated several stories about what happened to human remains removed from EFMO's collection in 1990. The Munson's agreed to a consent search of their garage. A box of human remains from EFMO's museum collection were discovered and seized. Munson stated he removed the remains from EFMO's collection in 1990 because he believed the pending Native American Graves Protection and Repatriation Act (NAGPRA) was a bad law that enabled modern Native American Tribes to inaccurately claim an affiliation to the human remains. Munson was unable to articulate receiving a previously described order from a government source to remove the remains prior to the enactment of NAGPRA.

Date/Time: 05/17/2012 / 4:00 p.m. – 6:05 p.m.

Location: Effigy Mounds National Monument

Person Interviewed: Thomas Munson

Present for Interview: SA Barland-Liles, (b) (6), (b) (7)(C) Munson

**DETAILS:** On Thursday, May 17, 2012, at approximately 1600 hours, I interviewed (b) (6), (b) (7)(C) and Thomas Munson at their residence. The Munson's stated they understood I was a Special Agent with the National Park Service, understood the purpose of the interview, understood their rights and agreed to voluntarily participate. The interview was recorded using handwritten notes. Thomas Munson refused to allow me to use an audio recorder. Thomas Munson was previously interviewed on January 18, 1012 (see ROI #007).

On Wednesday, May 16, 2012, I spoke with MUNSON by phone and we arranged this meeting at his residence. I asked if (b) (6), (b) (7)(C) would also be available and we scheduled the meeting to coincide with her availability.

<b>Reporting Official/Title</b> David Barland-Liles / Special Agent	<b>Signature</b>	<b>Date 05/18/2012</b>
<b>Approving Official/Title</b> ASAC Les Seago	<b>Signature</b>	<b>Date</b>

Distribution: Original – Case File      Other:      Other:

1 As we began (b) (6), (b) (7)(C) asked why I wanted her participation. I explained there were numerous inconsistencies  
 2 associated with the interview I conducted with her husband on January 18, and I thought having her present  
 3 may be helpful to clarify some of those inconsistencies. (b) (6), (b) (7)(C) stated she was happy to help.

4  
 5 I asked (b) (6), (b) (7)(C) if she remembered when they moved from Effigy Mounds National Monument (EFMO) to Prairie  
 6 du Chien. (b) (6), (b) (7)(C) stated they moved in July of 1990. MUNSON attempted to correct her by asking if it was  
 7 1994. (b) (6), (b) (7)(C) told MUNSON she knows it was 1990. (b) (6), (b) (7)(C) said she remembered the day due to the immense  
 8 amount of work involved in the move. (b) (6), (b) (7)(C) also remembered preparing their new house by helping (b) (6), (b) (7)(C)  
 9 (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) paint the interior. (b) (6), (b) (7)(C) jokingly complained she did a lot more painting than  
 10 (b) (6), (b) (7)(C) stated they were helped by numerous EFMO employees including the Palmer's, (b) (6), (b) (7)(C)  
 11 (b) (6), (b) (7)(C) and the (b) (6), (b) (7)(C) MUNSON and (b) (6), (b) (7)(C) argued about who was actually present and (b) (6), (b) (7)(C)  
 12 made it clear she remembered better. (b) (6), (b) (7)(C) explained it was a very exhausting and stressful move and she is  
 13 not surprised she remembers it better than MUNSON. I asked (b) (6), (b) (7)(C) if the movers were forced to place the  
 14 household goods outside since the house was still being painted. (b) (6), (b) (7)(C) said no. MUNSON stated he disputes  
 15 that claim and asked me how many of the movers I talked to. (b) (6), (b) (7)(C) told MUNSON everything was placed  
 16 inside. MUNSON argued some items were left outside near the garage. (b) (6), (b) (7)(C) motioned for MUNSON to be  
 17 quiet and asked him to stop arguing with her.

18  
 19 We discussed the possibility of the human remains being accidentally moved to their Prairie du Chien home  
 20 during that move. (b) (6), (b) (7)(C) stated they shared a garage at EFMO with the maintenance division and she  
 21 remembers two metal lockers containing mason jars she used for canning jelly and equipment used by the  
 22 maintenance employees. (b) (6), (b) (7)(C) said it was likely the mixture of personal and government property would  
 23 happen in that garage. I mentioned (b) (6), (b) (7)(C) believed she removed two boxes of human remains from  
 24 the collection. MUNSON stated, "If I put one in the garage then both were in the garage."

25  
 26 (b) (6), (b) (7)(C) asked MUNSON where he found the human remains he returned to Park Ranger Bob Palmer. MUNSON  
 27 stated the box was under a work bench near the front of the garage. (b) (6), (b) (7)(C) asked him if he had searched the  
 28 garage for more. MUNSON stated he had searched the entire garage after Palmer asked him to do so and found  
 29 nothing. He said he also searched the basement of the home in conjunction with a remodeling project.

30  
 31 MUNSON stated he told Superintendent Katherine Miller about the box. I showed MUNSON notes Miller  
 32 typed after a conversation with him on November 17, 1997. I read the following to MUNSON from the notes;  
 33 *"As I understood what Tom was telling me, the items were deaccessioned in 1990. The materials were stored in*  
 34 *a box in a locker in the maintenance area. He said the locker was moved outside and eventually junked – and*  
 35 *the box probably went out with it."*

36  
 37 MUNSON claimed he also told Palmer about the box after attending the funeral of a mutual friend, Dennis  
 38 Runge. (b) (6), (b) (7)(C) stated the funeral was in August of 2007.

39  
 40 I asked MUNSON about the directive he previously described to remove the remains from EFMO's collection  
 41 in 1990 prior to the enactment of the Native American Graves Protection and Repatriation Act (NAGPRA).  
 42 MUNSON stated he felt the directive was better described as an "edict" but he was unable to articulate the  
 43 source or how he received it. MUNSON added, "I think the actual phone call was placed from someone I  
 44 never heard of." I asked MUNSON who he thought was instructing the caller. MUNSON replied, "I have no  
 45 idea." (b) (6), (b) (7)(C) stated she remembered having a conversation with MUNSON about the matter. (b) (6), (b) (7)(C) asked  
 46 MUNSON what his plan was in relation to the edict. MUNSON stated, "I didn't have a plan." MUNSON  
 47 added he heard from the Midwest Archeological Center (MWAC) they didn't like the edict either.

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1  
2 I told MUNSON I have found no evidence of any edict or directive to remove human remains from collections  
3 prior to the enactment of NAGPRA. I showed him a memorandum from the NPS Staff Curator from the  
4 Curatorial Services Division written on April 27, 1989. I read the following from that memorandum; *“Options*  
5 *for managing the material as part of the museum collection include continued specimen cabinet storage at the*  
6 *monument, curation at the Midwest Archeological Center, or reburial on park land with the option to re-*  
7 *excavate if necessary for future research.”*

8  
9 I asked MUNSON if there was some type of cover-up. MUNSON stated, “I wouldn’t call it that.” (b) (6), (b) (7)(C) said  
10 to MUNSON, “I’m guessing no one told you to do this.” MUNSON shrugged his shoulders. (b) (6), (b) (7)(C) asked him,  
11 “How did you know you had to do it?” MUNSON did not answer. I asked MUNSON where I will find  
12 evidence of the edict. MUNSON stated finding evidence of the edict would be like finding the Nazi orders for  
13 the holocaust.

14  
15 I showed (b) (6), (b) (7)(C) a July 16, 1990 EFMO Report of Survey which documents the “deaccession” [sic] and  
16 abandonment of human remains from the collection. I showed (b) (6), (b) (7)(C) a July 13, 1990 Housing  
17 Occupancy/Vacancy Inspection Form for their EFMO home. We discussed the discrepancies with the dates and  
18 my belief they had already moved before the “deaccession” took place. MUNSON pointed out dates typed onto  
19 documents are not necessarily the dates of the actual events. I told (b) (6), (b) (7)(C) I do not believe the boxes were placed  
20 into the multi-use garage prior to their move out of government housing; therefore, I do not believe the boxes  
21 were accidentally moved to their Prairie du Chien garage.

22  
23 I asked MUNSON about his claim that he personally drove the remains to the MWAC in Lincoln Nebraska.  
24 (b) (6), (b) (7)(C) interrupted and asked MUNSON how the box got back in their garage? MUNSON stated, “They never  
25 left.” MUNSON added, “I knew this box existed. I knew it from the get-go.” MUNSON and (b) (6), (b) (7)(C) began to  
26 argue over her confusion related to the events. I interrupted and asked MUNSON, “Is the edict true?”  
27 MUNSON described the MWAC was in “panic mode” about the approaching enactment of NAGPRA. I asked  
28 if the edict was only inferred by him. MUNSON shrugged his shoulders.

29  
30 I asked MUNSON if he drove the remains to MWAC and the staff there removed what they wanted.  
31 MUNSON replied, “Let’s just say no. I made all that up.”

32  
33 (b) (6), (b) (7)(C) asked me what I believe. I told her (b) (6), (b) (7)(C) remembers walking out of EFMO’s visitor center with  
34 MUNSON and both of them were carrying a box of human remains. They walked to MUNSON’s brown Ford  
35 Taurus and put the boxes in the trunk. (b) (6), (b) (7)(C) stated MUNSON said he was going to take them home and  
36 (b) (6), (b) (7)(C) knew he no longer lived in park housing. (b) (6), (b) (7)(C) asked MUNSON if he drove the remains to their home  
37 in Prairie du Chien. MUNSON replied, “Yes, it is possible.”

38  
39 (b) (6), (b) (7)(C) asked MUNSON if he asked (b) (6), (b) (7)(C) to do the deaccession. MUNSON said, “Yes.” I explained to (b) (6), (b) (7)(C)  
40 a proper deaccession would require the transfer of the remains to another legal source, not a transfer to her  
41 garage. (b) (6), (b) (7)(C) asked where they could have legally gone. I told her the MWAC would have been a logical  
42 choice.

43  
44 MUNSON stated this was all the National Park Service’s fault because the agency did not provide MUNSON  
45 and EFMO with an archeologist.

46  
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1 (b) (6), (b) (7)(C) tuned to me and asked if I would like to look in the garage. I explained I would and asked if she would  
2 consent to a search of it. (b) (6), (b) (7)(C) stated she would and looked at MUNSON. MUNSON said he did not mind.  
3 They both signed the consent to search form.

4  
5 (b) (6), (b) (7)(C) guided me out of the home's rear door to a detached two car garage. (b) (6), (b) (7)(C) entered the garage through a  
6 side door and pushed up both garage doors from the inside. One vehicle, a white minivan, was in the garage.  
7 (b) (6), (b) (7)(C) took me to where she believed MUNSON described finding the box he returned to Palmer. As we stood  
8 there talking for a few seconds she looked past me and pointed out a box on the floor in front of the minivan,  
9 under a work bench. It was one of only a few cardboard boxes I could see within the garage, which was  
10 relatively uncluttered. The box looked old and had black plastic sticking out of an opening on the top. As we  
11 approached the box (b) (6), (b) (7)(C) stated she bet that was the other box. (b) (6), (b) (7)(C) pulled the box out from under the bench  
12 a few feet and stepped away. Looking down at the box I could see it was partially opened with one flap of the  
13 top folded down. The black plastic was partially open as well and I immediately recognized human remains  
14 through the opening. I pulled open the black plastic a few inches and immediately recognized an EFMO  
15 catalogue number written on a bone. I had been in the garage approximately thirty seconds. (b) (6), (b) (7)(C) stated they  
16 had just moved a yard swing out of the garage that was blocking that section of the garage.

17  
18 I took several photos and we returned to the house to talk about the box.

19  
20 I asked MUNSON why this all happened. MUNSON stated there was a "contagion bomb" at MWAC and it  
21 infected him.

22  
23 I asked MUNSON if anyone called him to do this. MUNSON stated, "Not that I know of." MUNSON added  
24 somebody told him but he didn't know who it was. MUNSON stated, "They left the whole thing to geeks like  
25 me and I didn't know what I was doing."

26  
27 I asked MUNSON what he meant. MUNSON stated NAGPRA was a bad law. He explained he believed there  
28 was no way a modern Native American Tribe could prove their affiliation with the human remains within  
29 EFMO's collection, yet the law was going to enable them to do just that. This bothered Munson and many  
30 archeologists and his actions related to EFMO's collection were influenced by that belief. MUNSON stated if I  
31 think what he did was bad I should get on my horse and go to the southwest where he believes I'll find incidents  
32 that are much worse.

33  
34 (b) (6), (b) (7)(C) was examining the 1990 Report of Survey when she asked, "If you're going to do something goofy, why  
35 leave a paper trail?"

36  
37 I told (b) (6), (b) (7)(C) it was possible to deaccession human remains in 1990 but the legal result of that deaccession would  
38 not be storing them in your garage. MUNSON asked why this was such a big deal. (b) (6), (b) (7)(C) curtly told him it is a  
39 big deal because human bones have been stored in a superintendent's garage for over twenty years.

40  
41 I talked about the Archeological Resources Protection Act (ARPA) of 1979. MUNSON stated, as a  
42 superintendent, there were many laws he could break every day and not know it. MUNSON stated he never  
43 heard of ARPA.

44  
45 I asked MUNSON if he takes responsibility for this. MUNSON stated, "I take responsibility for this." I asked  
46 MUNSON if he does so because he is responsible. MUNSON said, "Yes." MUNSON told me he did not think  
47 he had much time left anyway due to his failing health.

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1  
2  
3  
4  
5  
6  
7

(b) (6), (b) (7)(C) stated, "I feel bad." (b) (6), (b) (7)(C) described her willingness to continue to be cooperative.

(b) (6), (b) (7)(C) stated she does not believe MUNSON was lying to me earlier, rather she thought he couldn't remember properly.

**ATTACHMENTS:** Consent to Search Form – Photo log – Evidence log

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# United States Department of the Interior

NATIONAL PARK SERVICE

MIDWEST REGION

1709 JACKSON STREET

OMAHA, NEBRASKA 68102-2571

AREA DISTRIBUTION	
TO	Initial
Superintendent	M
Asst. Ranger	JSD
Admin. Tech.	
Arch. Tech.	
Arch. Tech.	
Arch. Tech.	
Arch. Tech.	
Arch. Tech.	
Arch. Tech.	

IN REPLY REFER TO:

DEC 10 1985

D6215(MWR-MI)

DEC 13 1985

## Memorandum

To: Superintendent, Effigy Mounds

From: Regional Director, Midwest Region

Subject: Approved Scope of Collection Statement

Your revised Scope of Collection Statement has been approved and is enclosed for your implementation. Copies are being distributed as indicated below. Over the next 2 years, WASO will be reviewing all Scope of Collection Statements. Sometime during that period, you may receive complementary comments and suggestions for refinement if any deficiencies are found in your statement. However, your statement meets WASO's guidelines and ours so well that we do not expect to receive any negative comments.

We appreciate the time and effort that you and your staff obviously have devoted to this new statement. We also appreciate your incorporating our recent suggestions for improvements and refinements into it. Your new statement is a sound, well reasoned, well crafted document that should prove a great benefit as a planning document for some years to come. Thank you for doing such a good job.

*Charles H. Boyce*

## Enclosure

- cc:
- Chief Curator, WASO-424, w/c enc. (2)
  - Manager, Harpers Ferry Center
    - Attention: Chief, Division of Reference Services, w/o enc.
  - Manager, Harpers Ferry Center
    - Attention: Chief, Branch of Archival and Library Services, w/c enc.
  - MWR-Staff Curator, w/c enc. (2)
  - MWR-Programs and Budget, w/c enc.
  - MWR-Cultural Resources Management, w/c enc.
  - MWR-Operations, w/c enc.
  - MWR-Central Files, w/c enc.

EFFIGY MOUNDS NATIONAL MONUMENT

SCOPE OF COLLECTION STATEMENT

Prepared by:	<u>James S. David</u> Chief, I&RM	<u>8/30/85</u> Date
Recommended by:	<u>Thomas G. Wanner</u> Superintendent/Unit Manager	<u>8/30/85</u> Date
Concurred by:	<u>John E. Hunter</u> Regional Curator	<u>12/4/85</u> Date
Approved by:	<u>Charles H. Cleaves</u> Regional Director	<u>12/3/85</u> Date

## SCOPE OF COLLECTION STATEMENT

### Effigy Mounds National Monument

#### I. INTRODUCTION

Effigy Mounds National Monument was established by Presidential Proclamation on October 25, 1949. The monument was established to preserve "a significant phase of the mound building culture of the prehistoric American Indians". Another management goal is to preserve the environment that is believed to have contributed to the long term habitation of the area by people of the mound building cultures.

National Park Service Management Policies (Chapter V, page 11) and the Cultural Resources Management Guidelines (NPS-28) require that each area prepare a Scope of Collection Statement. This Scope of Collection Statement serves to guide this monument in the acquisition and preservation of museum objects that contribute directly to the understanding and interpretation of the monument's themes and resources as well as those objects that the Service is legally mandated to preserve.

The NPS legal mandate for acquiring and preserving museum collections is contained in the Antiquities Act of 1906 (16 USC 431-433), the Organic Act of 1916 (16 USC 1 et seq.), the Historic Sites Act of 1935 (16 USC 461-467) and the Museum Act of 1955 (16 USC, Sect. 18 [F]). There is no mention of acquiring or preserving museum collections in the Presidential Proclamation that established the monument.

The monument's collection exists to document and support the park's interpretive and resource management programs. Objects in the collection must relate to the interpretive themes and the resource management goals and objectives of the monument.

The monument has one main interpretive theme and three minor themes. The main interpretive theme is archeology. This is the story of the mounds themselves, and of the cultures of people who constructed them. The three minor themes are: botany, history, and geology. The plants that made up this environment are an important link to the cultures that built the mounds by making this an ideal environment for those people's existence. The monument does contain several historic sites, i.e. an old clamming town and an old military trail. These are an important part of the monument's history and the use of its land. The

final theme, geology, is important because of the unique nature of the land that makes up the monument. It is part of the "Driftless Area", referring to its lack of glaciation which is thought to have had an affect on the plants and early peoples of the area.

The monument's Resource Management Plan (approved 5/18/84) outlines the need to complete the backlog of cataloging the park's collection. It also states the need to research and protect the environment of the mounds. A properly maintained collection, as outlined in this Scope of Collection Statement, will aid in this goal. The collection will provide an information base on the plants, etc. that make up the environment. It also will provide an information base for interpretation of the environment and, in addition, provide reference information on the history of the monument and the culture of the mound builders.

## II. TYPES OF COLLECTIONS

The collections at Effigy Mounds National Monument shall consist of two types of material: cultural artifacts and natural history specimens. This collection must include, but is not limited to, all archeological, ethnographic, botanical, historical, archival and geological specimens and documents that are obtained from within monument boundaries or that are generated by research projects conducted within monument boundaries. In addition, all materials collected by monument personnel and at government expense shall be included with the monument's collections in accordance with 43 CFR part 7 and 36 CFR 2.5. Objects obtained from outside the monument boundaries may be included if they represent significant examples or are directly related to the research and/or interpretation of the cultural and natural heritage of the monument. In addition, any records pertaining to specimens in the collection or records generated by research projects within monument boundaries shall be included in the monument's collections. These documents include but are not limited to: field notes and catalogs, daily journals, drawings and maps, photographs and negatives, slides, sound or video recordings, raw data sheets, instrument charts, remote sensing materials, collection inventories, analytical study data, conservation treatment records, and computer documentation and data.

### Cultural Collection

Objects in this collection fall into three categories: archeological, ethnological and historical. Such objects should represent the cultural history of the monument or be directly related to the research and/or interpretation of that heritage.

Cultural material will be collected in coordination with the appropriate agents of on-site management, the Midwest Regional Office, and the Midwest Archeological Center.

### Archeological

This category forms the bulk of the monument's collections at present and should continue to form the bulk of the collection in the future. The main emphasis of the collection is the Woodland Period represented in the Upper Mississippi River valley between the dates of 1,000 B.C. and A.D. 1,500. While the park acquired its name from the effigy mounds built in the Midwest between A.D. 600 and A.D. 1,300 the other phases of the Woodland Period are represented by the cultural resources of the monument.

The existing collection is composed primarily of two parts. The first part is the Ellison Orr collection of archeological, geological, and historical material collected between 1900 and 1945 from throughout the State of Iowa. The second portion represents material recovered during authorized National Park Service excavations. In addition, artifacts collected by several individuals from locations throughout northeastern Iowa have been accessioned into the collection, along with material collected on the surface of two Woodland village sites immediately adjacent to monument boundaries. The major drawback to some of this material is that documentation on the location of sites and the placement of artifacts within them is missing.

Future additions to the monument's archeological collections should represent primarily the Woodland Period, with emphasis on the era of effigy mound construction. Additional material of an archeological nature may be considered for addition to the collection if the material represents other prehistoric cultural phases present in northeast Iowa or has a direct connection with the Woodland Period represented in the monument or if it represents the work of historic figures directly connected with the monument. Historic objects recovered during authorized excavations within monument boundaries or items representing historic sites in other areas that have a direct connection to the monument's cultural resources should be added. Objects of secondary interest would include material representative of the Woodland Period that is from other areas outside the monument.

Objects that should not be considered for the monument's collection would include material representative of cultural phases or periods not represented in the Upper Mississippi River valley. In addition, objects from historic archeological investigations should not be added unless they meet the guidelines listed above.

### Ethnological

At present, the only objects of an ethnological nature that have been included in the monument's collections are those that formed a part of predominantly archeological collections donated to the park. The only ethnological items that should be considered for addition or retention would be those representative of the historic Indian groups that occupied the land represented by the monument before modern times.

Ethnological objects will be collected in types and quantities sufficient to implement exhibit plans but no more than one additional object of a given type will be collected as a reserve for eventual replacement of an exhibited object.

### Historical

At the present time the bulk of the historic material contained in the monument's collection is primarily archival in nature and is divided into two parts. One part of this material is represented by the Ellison Orr collection of manuscripts, journals, books, maps, photographs and negatives. The second part is represented by maps, tapes, photographs and slides documenting the cultural resources of the monument and/or the history and operation of the monument.

A few artifacts of a historic nature are included in the collections, but only because they were part of a larger collection of predominantly archeological material donated to the monument.

The only objects that should be considered for future addition to the collections are those representative of historic sites identified within monument boundaries or immediately adjacent to such boundaries or materials representative of historic figures directly associated with Effigy Mounds National Monument or effigy mound research. Future research will indicate whether collecting will be necessary.

Historic material will be collected only in types and quantities sufficient to implement exhibit plans.

### Natural History Collections

Objects in this collection are divided into three categories: Biology, Geology, and Paleontology. Objects included in these categories should be representative of the natural history of the monument or be directly related to the research and/or interpretation of the natural heritage of the monument.

Objects of natural history will be collected in coordination with the appropriate agents of on-site management and the Midwest Regional Office.

#### Biology (Botany)

At the present time the biological collection at the monument consists solely of a herbarium established by Ellison Orr and other staff researchers or naturalists. This collection documents the flora of northeast Iowa and southwest Wisconsin, and represents species found within monument boundaries. Future additions to the herbarium should consist of specimens collected from within park boundaries as part of contracted research programs or monument resource management activities. Specimens representative of the flora of the Driftless Zone that are not already included within the herbarium should be acquired.

A primary objective for the monument is to return the natural setting from its modern woodland/old fields association to a climax forest with natural prairie openings, a condition that presumably reflects the environment of the prehistoric Native Americans who constructed the burial mounds. Specimens of plants will be collected on a continuing basis to document vegetational changes caused by the succession process. The collection will support management strategies and primary interpretive themes as contained in the monument's Cultural and Natural Resources Management Plans.

Specimens of birds, animals, fish, reptiles, nests, eggs, insects and other fauna will be collected in support of research needed to implement management strategies and primary interpretive themes.

Plant and animal specimens may be collected by parts (flowers, seeds, skulls, teeth, etc.) or as an entire organism depending upon the need. Live mounts (taxidermic

specimens) of vertebrates will be collected only in types and quantities sufficient to implement exhibit plans. Live animal specimens will be collected outside the monument boundaries whenever possible.

Natural variation along gradients, within populations, or between populations, may require collecting more than one specimen per species. When a species is represented by a series of different forms, e.g., seasonal, morphological, sexual, etc., more than two specimens may be needed of each species collected. In either case, the number of specimens to be collected must be justified by the approved research or interpretive program before collection can occur.

#### Geology

The only geological specimens currently in the monument's collection are part of the Ellison Orr material donated to the park in 1951. Additional specimens would be added only if they are representative of the geological strata and formations found within monument boundaries.

#### Paleontology

Currently the only paleontological specimens in the collections of Effigy Mounds National Monument are those included within the material donated by Ellison Orr. Additional specimens should not be added to the collections unless they are representative of the geological strata or formations found within the monument boundaries.

### III. ACQUISITION

The long term management and storage of the monument's cultural and natural history collections is the responsibility of the Chief of Interpretation and Resource Management or of someone designated by him. All collections should be acquired, accessioned and cataloged in accordance with the NPS Museum Handbook, Part II, Museum Records. Long-term storage of the collections should occur in the climate controlled facility that has been added to the monument's visitor center. The only exceptions are objects in permanent or temporary exhibits and those objects on specific loan to outside researchers, Park Service units, or institutions.

As of October 1, 1985 the bulk of the collections maintained by Effigy Mounds National Monument have not been cataloged in



accordance with NPS standards. Work is progressing to correct some of these problems; the upgrading of accession and cataloging records remains the first priority of collections management.

As outlined in Section 2 "Types of Collections", any additions made to monument collections would be limited to those materials having a direct bearing on the cultural or natural history of the monument or the area immediately adjacent to it. All additions should be accessioned immediately and cataloged in accordance with NPS guidelines to avoid the development of an added backlog or a loss of information.

Because of very limited public exhibit areas, donations and gifts made to the monument should not be accepted if they come with limiting conditions. The use of, or disposal of, material acquired for the monument's collections shall be the responsibility of the Chief of Interpretation and Resource Management and shall not be limited by restrictions placed on materials at the time of their acquisition.

As an aid to the inventory of specific museum collections and/or their use in research and interpretation, a separate listing should be made of the catalog numbers assigned to archival, botanical and photographic materials.

#### IV. USE OF COLLECTIONS

Access to museum collections shall be limited to those engaged in specific research projects and to the Chief of Interpretation and Resource Management or the individual designated by him to oversee collections management and to the Resource Management Technician. Access to the collection also may be given to those preparing publications, films or museum exhibits at the discretion of the Chief of Interpretation and Resource Management. Objects and specimens used in interpretive programs will be limited to those already in the collection as of October 1, 1985 for which proper documentation cannot be established. These items will be specifically identified during the cataloging project and will be stored and identified separately from the general museum collection.

Any use of the collections for research purposes must be non-consumptive. The archeological information represented by these artifacts cannot be duplicated from other sources. This policy is in accordance with the Interpretation and Visitor Services Guidelines (NPS-6, Chapter 7, Release No. 2) and the Cultural Resources Management Guidelines (NPS-28, Managers Guide, Chapter 3; Release 3).

The governing consideration in the use of museum objects is the conservation of each object in question and the collection as a whole. Any use that may be defined as consumptive must be authorized in advance, as outlined in the Interpretation and Visitor Services Guideline (NPS-6).

The use of reproductions for interpretive or display purposes shall be left to the discretion of the Chief of Interpretation and Resource Management or to someone designated by him. The general use of archeological reproductions should be discouraged.

#### V. RESTRICTIONS

Because the bulk of the material represented by the collection at Effigy Mounds National Monument is archeological in nature, access to the collection shall be only on a limited basis. General access to the collection shall be limited to the Chief of Interpretation and Resource Management or to the person charged by the Chief with curatorial responsibility over the collection or to those engaged in approved and authorized research projects.

Archeological research shall be limited to those areas of specific concern for the long term preservation and/or interpretation of the monument's cultural resources. The guidelines to be followed in determining access to the collection are outlined in the Cultural Resource Management Guidelines (NPS-28, Managers Guide, Chapter 3; Release 3) and at the discretion of the Superintendent of the monument and/or the Chief of Interpretation and Resource Management or the person designated by him to oversee the collection.

As of October 1, 1985 only one object has been accepted into the collection with the stipulation that it would be placed on public exhibition. The object is to be included in the revision planned for the monument's museum displays.

At this time space for the long term storage of collection is not a problem. Because space may become a problem in the future, the determination to limit collections shall reside with the Superintendent, the Chief of Interpretation and Resource Management, or the person appointed by him to oversee the collections, and the monument's Resource Management Technician meeting together.

Human skeletal and Native American religious materials shall not be displayed or exhibited except that it be in compliance with Special Directive 78-1, Policy Guidelines for Native American Cultural Resources Management.

## VI. MANAGEMENT ACTIONS

This Scope of Collection Statement is meant to coordinate and direct acquisition, storage and use of museum collections held at Effigy Mounds National Monument. It must be reviewed annually and, when necessary, must be revised to remain supportive of and consistent with any changes in the monument's mission and National Park Service policy. Any revision to this document requires the approval of the Regional Director.

As of October 1, 1985 this monument does not have a Collection Management Plan. This plan is programmed for FY 1986 and may require changes in this Scope of Collection Statement.

CHECKLIST FOR EVALUATING SCOPE OF COLLECTIONS STATEMENTS

Name of Park Effigy Mounds NM      SOCS Date 8-30-85

	YES	NO
<b>I. COVER SHEET</b>		
1. Park name is given.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Title is given.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Four signature blocks are given.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Format is correct.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>II. INTRODUCTION</b>		
1. Is the park's mission described?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Is there a statement of legal requirements and interpretive and resource management justifications for a collection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. If the establishing legislation requires a collection, does this section so state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Are 43 CFR Part 7 and 36 CFR 2.5 and NPS-28 referenced in regard to keeping archeological and natural history collections?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. If appropriate, are any other laws, regulations, and policies cited? (See Appendix A of instructions.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Are the park's interpretive themes and time periods described?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is there a statement regarding how the collection will document and support the park's interpretive and resources management programs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>III. TYPES OF COLLECTIONS</b>		
1. What types of collections are appropriate in this park? Natural <input checked="" type="checkbox"/> Cultural <input checked="" type="checkbox"/> . Are they listed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Are the major types sub-divided into defined categories that reflect park purposes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Are quantities of objects to be collected identified when appropriate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Are deficiencies in the existing collection identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. If appropriate, does this section describe what should <u>not</u> be collected?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is this section sufficiently detailed so that it will serve as a good guide to collection and disposition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is this section comprehensive?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Does this section require retention of records relating to archeological and natural history research?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does this section require retention of archeological and natural history specimens from within the park?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Does the section on natural history (if any) require selective acquisition?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Does the section on natural history (if any) require coordination between resources management and interpretive staff and with the regional office staff?	<input type="checkbox"/>	<input type="checkbox"/>
12. Are priorities set for collecting history and ethnology artifacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Is priority given to collecting the best documented of site-related objects?	<u>N/A</u>	<input type="checkbox"/>
14. Is priority given to collecting the best preserved examples of objects?	<u>N/A</u>	<input type="checkbox"/>
15. Ditto No. 11 in regard to cultural collections?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Part on p 4*

*Part on page 2*

IV. ACQUISITION

YES NO

- 1. Does this section contain a statement regarding the park's ability to manage collections in accordance with NPS policies and standards? ✓
- 2. Does this section reference NPS policies for acquisition and preservation? ✓
- 3. Does this section reference Museum Handbook, Part II, Museum Records in respect to collection documentation? ✓
- 4. If appropriate, is there an outline of any park-specific acquisition procedures that supplement NPS requirements? ✓
- 5. Is there a statement discouraging gifts with limiting conditions? ✓

V. USES OF COLLECTIONS

- 1. Is there a description of desired and acceptable uses? ✓
- 2. Is there a description of the limits of such uses? ✓
- 3. Is there a statement regarding conservation as a primary consideration when determining uses? ✓
- 4. Does this section reference NPS-6 in respect to potentially consumptive uses of collections? ✓
- 5. Does this section reference NPS-28 in respect to destructive analysis of specimens? ✓
- 6. Does this section reference Special Directive 78-1 in respect to Native American cultural resources mgt.? ✓

*0? See page 6*

VI. RESTRICTIONS

- 1. Does this section list any restrictions on uses of or access to the collection? (See instructions.) ✓
- 2. Is there a prohibition against exhibition of human skeletal and Native American religious materials? ✓

VII. MANAGEMENT ACTIONS

- 1. Does this section require annual review of the SOCS? ✓
- 2. Is there a requirement that the SOCS remain supportive of and consistent with the park's mission? ✓
- 3. Does this section require Regional Director approval of any changes to the SOCS? ✓
- 4. Does this section document the existence of or the need for a Collection Management Plan? ✓
- 5. If collection are or will be in off-site repositories, does this section acknowledge that and indicate the purposes and arrangements for off-site storage? N/A

Comments on draft Scope of Collection Statement for Effigy Mounds NM:

1. When preparing the single-spaced final, use the attached format outline as a guide for indentation, underlining and capitalization of headings, vertical spacing, etc. Provide a left margin of 1-1 $\frac{1}{4}$  inches, a right margin of about 1 inch, and a bottom margin of at least 1 inch.
2. If you have not already done so, the Scope of Collection Statement should be prepared on a word processor so that it can be more easily updated in the future.
3. The attached general comments relating to quantitative limitations on a collection apply to your ethnological, historical, and natural history sub-collections. In the discussion of those sub-collections on pages 4-5, you do apply a number of concepts for restricting collection size. We suggest that you consider whether any of the concepts on the attached comment (3 pages) also could be incorporated into Section II or Section III of your Statement.
4. In Section VI, we presumed that no EFMO collections currently are stored in an off-site repository. If there are collections off-site for storage (as distinct from conservation or research) purposes, Section VI should indicate the nature and size of those collections, where they are located, why they are there, and your long-term intentions for them (return to the park, long-term loan, etc.).

Whether natural history specimens are collected for interpretation or for research, it should be recognized that more than one specimen may have to be collected of the same species of living organisms. (This usually will not apply to geology, mineralogy, and paleontology.) The usual method of defining such collections is to incorporate a statement such as the following into the Scope of Collection Statement. Other, similar language may be more appropriate in some circumstances.

Natural variation along gradients, within populations, or between populations, may require collecting more than one specimen per species. When a species is represented by a series of different forms, e.g., seasonal, morphological, sexual, etc., more than two specimens may be needed of each species collected. In either case, the number of specimens to be collected must be justified by the approved research or interpretive program before collection can occur.

When collecting plants, one may wish to collect all parts (flowers, seeds, leaves and stems, and roots) or only the visible parts, depending upon the reason for collecting. When collecting vertebrates, primarily mammals, indicate what body parts (skull, teeth, bones, skin, etc.) will be collected. Also indicate if there is any reason to have live mounts (taxidermic specimens) in the collection. In all cases, limit the number of specimens to what is truly necessary for interpretive or research purposes.

3. The guidelines for ethnological collections and history collections are essentially those spelled out in items "a" through "d" on pages 1 and 2 of these comments. Those guidelines should work well for most collections of non-archeological cultural materials. Remember, however, that some parks will have collections of architectural elements taken from historic structures within the park. Generally, the guidelines for collecting such objects are more similar to those for archeological collections inasmuch as the objects are historic fabric of the park's resources and thus are covered by certain laws and regulations.
4. Library and park administrative history collections do not have to be mentioned in a Scope of Collections Statement because such collections are not considered to be part of a park's museum collection as a matter of NPS policy. However, many parks do include such collections in their Statements so that the relationship among the three collections--museum, library, and park administrative history--can be made apparent. When these non-museum collections are mentioned in a Scope of Collections Statement, it is best to apply the "rules" for limiting their size. As with other collections, parks should acquire only that which is needed. For more information about non-museum collections, refer to Release 3 of NPS-28; see pages 2/17, 3/18, and A/2 in the Managers Guide and pages 4/4 and 8/2 in the Technical Supplement.

Questions about the foregoing comments and suggestions may be directed to the Midwest Regional Curator in writing or by calling FTS 864-4880 or commercial 402-221-4880.







## General Comments on Limiting the Size of a Collection

This comment was prepared in response to the observation that many Scope of Collection Statements do not adequately address quantitative limitations on the park's collection. It is quicker and simpler for us to attach this page of general comments to our written comments on your Statement than to have re-written these suggestions into them. You should treat these suggestions as if they had been written into our comments on your Statement.

The Departmental IG is very concerned that many museum collections of the National Park Service are proliferating and becoming greater management burdens, often to no apparent purpose. The IG has asked this Office to ensure that new Scope of Collection Statements contain language that would effectively curtail unnecessary acquisitions, limit necessary acquisitions, and facilitate disposition of excess materials already in collections. This Office wishes to comply with the IG's request. To that end, we make the following comments and suggestions.

Your park interpretive themes are broad enough that a very large number of objects could be collected to support them if effective restrictions are not incorporated into Sections 2 and 3 of your Scope of Collection Statement. Those sections must describe as precisely as possible what is appropriate for the park to collect or retain. You must describe what should be collected to meet approved interpretive and resource management objectives and must somehow set more precise quantitative limits on the collection. Obviously, we cannot simply say "You shall collect only 4,267 objects and stop!" Setting quantitative limits has to be done in a more realistic fashion. There are several different ways in which that might be done; among them are:

- a. You might try indicating what should not be collected if that approach would enable you to express more clearly what quantitative limits are placed on the collection.
- b. You might wish to indicate, through appropriate language, that cultural materials will be collected in types and quantities sufficient to implement exhibit and/or furnishing plans but that no more than one additional object of a given type would be collected as a reserve (for study or eventual replacement of an exhibited object). If collecting only one additional object would be too restrictive, you can include some provisions for making exceptions. However, those provisions must ensure that exceptions would be limited in number and appropriately justified.
- c. If having a study collection (i.e., a series of objects collected for their research or information value, not their interpretive value) is deemed to be important to fulfilling the park's mission, creating such a collection will have to be justified in the Scope of Collection Statement and its growth would have to be constrained in some fashion. Creation of study collections normally should be restricted to only certain categories of objects.

d. If you believe it is important to collect objects like ones already in the collection, but of better quality, in order to upgrade the overall quality of the collection, that is acceptable. However, the Statement must indicate how such collecting will be done in order to limit the size of the total collection. (It is suggested that the Statement also include requirements for the eventual deaccessioning of those objects that are replaced by ones of better quality.) *Historical only - or natural - Not Archeological*

Here are some specific guidelines on different categories of collections.

1. You cannot artificially limit archeological collections. By law, all archeological materials recovered on Park Service lands are Federal property and are part of the museum collection of the park in which they are recovered. Your Statement can and should indicate where your archeological collections will be stored (in the park, at the Midwest Archeological Center, or at some other repository) but your Statement cannot indicate that archeological materials will be deaccessioned. You do have some control over acquisition of surface finds, however. Generally, materials found on the surface of the ground or on the bottoms of lakes and streams are considered archeological in nature, even though they may not have been recovered using scientific archeological methods. Thus, such finds cannot simply be "tossed". It is generally best for the Statement to require that such finds be replaced unless (a) doing so would subject them to damage or loss or (b) the objects found are valuable, either monetarily or historically. When surface finds are returned to their origins, their locations should be documented as an aid to future archeological research. When surface finds are retained in the collection, their origins should be recorded as part of the accession documentation. Controlling the retention of surface finds is the only way to control the size of archeological collections.
2. Controlling natural history collecting is fairly simple. As a general rule, natural history specimens are collected for two purposes: as part of scientific studies relating to resources management and for interpretive purposes. The number of specimens collected for resource management purposes can be controlled by carefully restricting the number of specimens to be collected when the collection permit is issued. Normally, if a university is doing the work, they will collect two samples of each species of interest; one will be retained at the university and the other will be retained in the park. Both will be cataloged into the park's museum collection. However, if the park has no need for the second series of specimens, it may not have to be collected, in which case the only specimens collected will be the one series which will be on loan to the collecting institution.

Collecting for interpretive purposes usually is done by park staff. A good way to control the number of specimens collected is to determine exactly how they will meet interpretive needs and collect only to meet those needs and no more. The Scope of Collection Statement should detail what the park's interpretive needs are or, if those needs have not yet been determined, how the staff is to determine its needs for specimens in the future.



EFFIGY MOUNDS NATIONAL MONUMENT  
SCOPE OF COLLECTION STATEMENT

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SCOPE OF COLLECTION STATEMENT

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## SCOPE OF COLLECTION STATEMENT

### EFFIGY MOUNDS NATIONAL MONUMENT

#### I. INTRODUCTION

The purpose of Effigy Mounds National Monument, as stated in the Statement for Management (1990), is to preserve a representative and outstanding example of a significant phase of the Mound Building Culture of the Prehistoric American Indians, and to protect wildlife, scenic and other natural values of the area.

The monument was established by Presidential Proclamation 2860 dated October 25, 1949, which states: "The Director of the National Park Service, shall have the supervision, protection, management, and control of this monument as provided in the Act of Congress entitled 'An Act to Establish a National Park Service...' approved August 25, 1916..."

In the act of August 25, 1916, Congress provided that:

The Service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

The primary archeological resource is prehistoric Indian burial mounds in a variety of forms including effigy, compound, and linear.

Prehistoric mounds are common from the eastern plains to the Atlantic seaboard but it was only in this general area where some of them were constructed in an effigy outline of mammals, birds, or reptiles. Some of these mounds cover a large area, although none are more than five feet high.

There are 200 mound sites in the monument. The Marching Bear Mound Group of 10 bear, three bird and two linear mounds in the area south of the Yellow River is one of the finest remaining groups of effigy Mounds.

National Park Service Management Policies (Chapter V, page 11) and the Cultural Resources Management Guidelines (NPS-28) require that each area prepare a Scope of Collection Statement. This Scope of Collection Statement serves to guide this monument in the acquisition and preservation of museum objects that contribute directly to the understanding and interpretation of the monument's themes and resources as well as those objects that the Service is legally mandated to preserve.

The NPS legal mandate for acquiring and preserving museum collections is contained in the Antiquities Act of 1906 (16 USC 431-433), the Organic Act of 1916 (16 USC 1 et seq.), the Historic Sites Act of 1935 (16 USC 461-467), the Museum Act of 1955 (16 USC, Sect. 18 /F/) and the Archeological Resources Protection Act of 1979 (16 USC 470 aa-mm). There is no mention of acquiring or preserving museum collections in the Presidential Proclamation that established the monument.

The monument's collection exists to document and support the park's interpretive and resource management programs. Objects in the collection must relate to the interpretive themes and the resource management goals and objectives of the monument.

The major National Park System Plan theme represented is "The Original Inhabitants." Secondary historical themes are "European Exploration and Settlement," "Westward Expansion," and "Society and Social Conscience."

The academic disciplines of archeology (highest priority), ethnobotany, history and geology are vital to proper interpretation of Effigy Mounds National Monument. Based on these subjects, the following interpretive themes have been developed and incorporated into the monument's Interpretive Prospectus (approved 1986.)

Prior to European arrival, a well established native civilization left its mark on this area.

Man's use of this land has changed radically over the past 2,500 years.

Mounds may represent a civilization's view of both death and life.

The seasons of the year strongly influenced the life style of ancient people.



The flora and fauna of the Mississippi valley provide an attractive and valuable natural resource.

All these themes are treated in the proposed museum exhibits, with good complementary coverage in waysides.

Special interpretive objectives include:

To preserve and protect the evidence of mound cultures by increasing visitor understanding and appreciation of these cultures.

To increase visitors' awareness of the role of the surrounding environment in shaping a people's civilization, past and present.

To show, through the study of archeology, insights into mankind's past.

The museum collection at Effigy Mounds National Monument includes approximately 15,000 artifacts and specimens relating to the prehistoric and historic aspects of the site. The majority of the collection is the Ellison Orr Collection which includes artifacts, a research library, a collection of personal papers and unpublished archeological reports, mineral and fossil collections, and a herbarium. Additional artifacts have been produced by NPS archeological projects and acquired from private citizens. Natural history specimens, a herbarium and a proposed invertebrate collection, address natural resource management issues.

A small portion of the monument's collection is housed at Midwest Archeological Center (MWAC). This portion consists of photographic documentation, artifacts, and field records accessioned by MWAC as a result of contractual obligations fulfilled by Dale Henning of Luther College, and by MWAC personnel in their investigation of Sny Magill. It consists of approximately 519 items. These items are among a backlog of items MWAC is cataloging. A more accurate account and full documentation of these items will be available as the backlog is processed.

Nearly 7,000 catalog records have been completed, and another 5,000 have yet to be entered onto the ANCS program. The collection is stored in an artifact storage area in the basement of the visitor center protected with a halon fire suppression system. A number of prehistoric artifacts are on display in new exhibits installed in the visitor center in 1989.

The museum collection is not, primarily, the excavated contents of the numerous mounds in the monument. Most of the prehistoric artifacts associated with the site remain in situ, unexcavated in the mounds.

All archeological materials recovered from within park boundaries through systematic investigation are NPS property and must be retained in the park's museum collection per 43 CFR Part 7 and NPS-28. Similarly, 36 CFR states that natural history specimen collecting permits issued by the Superintendent require the following conditions: (1) Specimens placed in displays or collections must be identified with NPS museum labels and must be cataloged into the park's museum collection, and (2) Specimens and data derived from consumed specimens must be made available to the public and reports and publications resulting from a research collecting permit must be filed with the Superintendent.

The park's approved Resources Management Plan (approved September 1984) states that "all land within the boundary is classified as Historic Zone with a development subzone. The subzone consists of about six acres and includes the visitor center, parking lot, roads, two residences and the maintenance shop area. The purpose of the Resources Management Plan is to describe a comprehensive resource management, monitoring and research program that will support and achieve the resource related management objectives that are elucidated in the Statement for Management. The Resources Management Plan addresses the park collections listing the number of items in the artifact collection as 2,500 items. The collection currently contains 15,000 individual items. The Resources Management Plan will be updated in CY 1992 to include the total 15,000 items in the park collections which includes both cultural and natural history specimens.

The approved Statement for Management (approved November 1991) lists the following management objectives related to cultural resource preservation.

To preserve and protect the integrity of prehistoric American Indian burial mounds.

To restore mounds to their original profile where found necessary, based on research.

To eliminate destructive tree growth and animal burrowing into the mounds.

The monument's Resource Management Plan (approved 5/18/84) outlines the need to complete the backlog of cataloging the park's collection. It also states the need to research and protect the environment of the mounds. A properly maintained collection, as outlined in the Scope of Collection Statement, will aid in this goal. The collection will provide an

information base on the plants, etc. that make up the environment. It also will provide an information base for interpretation of the environment and, in addition, provide reference information on the history of the monument and the culture of the mound builders.

At this time the monument has no approved Collection Management Plan. The park has been operating under a draft plan that is the result of an interrupted project. An approved CMP needs to be developed as soon as possible.

## II. TYPES OF COLLECTIONS

The interpretive themes, resource management goals and objectives, and mandates stated in the Introduction section serve as guidance for acquiring objectives for the monument's collections. The monument's collections are divided into two major categories from two divisions: cultural and natural history collections associated with the Ellison Orr Collection and cultural and natural history collections from National Park Service sponsored excavations.

The collections at Effigy Mounds National Monument shall consist of two types of material: cultural artifacts and natural history specimens. These collections must include, but are not limited to, all archeological, ethnographic, botanical, historical, archival, and geological specimens and documents that are obtained from within monument boundaries. In addition, all material collected by monument personnel and at government expense shall be included with the monument's collection in accordance with 43 CFR Part 7 and 36 CFR 2.5. Objects obtained from outside the monument boundaries may be included if they represent significant examples or are directly related to the research and/or interpretation of the cultural and natural heritage of the monument. In addition, any records pertaining to specimens in the collection or records generated by research projects within monument boundaries shall be included in the monument's collections. These documents include but are not limited to: field notes and catalogs, daily journals, drawings and maps, photographs and negatives, slides, sound or video recordings, raw data sheets, instrument charts, remote sensing materials, collection inventories, analytical study data, conservation treatment records, and computer documentation and data. All field generated records whether cultural or natural history in nature will be a part of the collections. This is one of the major deficiencies in the Effigy Mounds' collections. High priority should be given to the location, acquisition, and organization of all records. A concentrated effort to do this was undertaken in 1986. All available sources were tapped for information with little success. It is unlikely that sources such as MWAC or the Midwest Regional Office library would have the necessary information.

The existing collections are composed primarily of two parts. The first part is the Ellison Orr Collection of archeological, geological, biological and historical material collected between 1900 and 1945 throughout the State of Iowa. The second portion represents material recovered during the authorized National Park Service excavations. In addition, artifacts collected by several

individuals and state agencies from locations throughout northeastern Iowa have been accessioned into the collections, along with material collected on the surface of two Woodland village sites immediately adjacent to the monument boundaries. The major drawback to some of this material is that documentation on the location of sites and placement of artifacts within them is missing.

Due to the size and importance of the Ellison Orr Collection, it will be addressed as a separate section. Additional object categories will address the remainder of the collections.

Archeological material forms the bulk of the monument's collections at present and should continue to form the bulk of the collections in the future. The main emphasis of the collections is the Woodland Period represented in the Upper Mississippi River valley between the dates of 1000 B.C. and 1500 A.D. While the park acquired its name from the effigy mounds built in the Midwest between 600 A.D. and 1300 A.D. the other phases of the Woodland Period are represented by the cultural resources of the monument.

#### A. Ellison Orr Collection

In June, 1950, a large portion of the accumulated work of Dr. Ellison Orr, an archeologist for the State of Iowa, was accessioned into the Effigy Mounds collections. This accumulated work, which focused on the northeast corner of Iowa and the effigy mounds, consists of archeological, geological, paleontological, archival, historical and biological material. The life and work of Dr. Ellison Orr has been made a minor interpretive theme of the park and the entire Orr collection will remain in the museum collections.

##### 1. Natural History Collection

Collecting and maintaining a natural history collection, though of secondary importance to the cultural collection, is an important part of the management of the park's resources. The natural history collection exists to provide base line data of park natural resources, to document changes these resources are undergoing because of internal park conditions and external effects and to provide a data base for researchers concerned with resource use by the park's prehistoric occupants.

The means by which the natural resource museum collection should grow is through authorized scholarly research, which is based on needs identified in this document and in the park's approved Resource Management Plan. This scholarly research may be

conducted by park or non-park scientists. Collecting by park staff must be in compliance with the park's approved "Staff Field Collecting Procedures." The collecting of research specimens by non-park scientists must comply with 36 CFR 2.5. All researchers must comply with applicable state and federal laws regulating collecting, documenting collections and other associated activities.

a. A part of Orr's natural history collection consists of his herbarium. This contains 222 catalog records of over 300 floral specimens identified, labeled, and mostly collected by Dr. Orr throughout his travels in Iowa. Dr. Orr's herbarium enhances the present interpretive theme of the monument. It also documents floral succession and thus contributes to resource management goals.

b. Dr. Orr's geological collection is partially cataloged within the park's collection. Approximately 242 mineral specimens are identified and labeled. These are cataloged by lot within the collection. Approximately 800 rocks and minerals from his collection are accessioned and waiting to be identified and cataloged.

c. Dr. Orr's paleontological collection housed at the monument is limited to a few objects accessioned but not cataloged. They are stored with Orr's geological collection. The major portion of his paleontological collection (44 fossil specimens) is on temporary loan to the University of Iowa for study purposes.

## 2. Cultural Collection

The purposes of this collection is to preserve a portion of our nation's cultural heritage and to increase knowledge and inspiration among present and future generations through exhibits, research and interpretive programs. Dr. Orr's cultural collection comprises the bulk of material donated to the monument.

a. The largest portion of the cultural collection consists of archeological material excavated by Dr. Orr during his work for the State of Iowa. This work was conducted throughout Iowa. Considerable work was done by Orr in northeast Iowa and on the effigy mounds located there. A small number of archeological items were purchased by Orr during his travels. Most of these items are representative of the material produced during the time period of the Woodland Indians and the Effigy Mound Builders. Orr's archeological collection consists of several thousand individual artifacts. Of these approximately 55% are mineral (sherds, points, etc.), 40% are animal (shell, bone, antler) and 5% unidentified material.

b. An archival collection of manuscripts, unpublished archeological reports, maps (99 total) and a library of 326 books are also part of the Orr collection. Included in this are approximately 3,000 photographs and negatives. These photographs are accessioned but not cataloged. Most, but not all, of this material concerns Orr's archeological work.

c. Dr. Orr's collection also includes a small number of ethnological and historical items. These items, though not necessarily pertinent to the monument's interpretive themes or management goals, were retained as part of the donation agreement.

#### B. NPS Excavations Collection

The non-Orr material in the monument's collections consist of both cultural and natural history material recovered during authorized excavations and research projects and donations from private and state agencies and individuals.

##### 1. Natural History Collection

The collecting and maintenance of natural history specimens is a secondary aspect of the museum collections and will be undertaken only in conjunction with resource management, research and/or interpretation of the natural heritage of the monument. Collections should be acquired only in conjunction with the following specific purposes: (1) To establish a permanent base of information about the plants that historically and presently grow within the monument in conjunction with resource management projects; (2) The establishment of baseline information about the invertebrate population of the park, including aquatic insects; and (3) Interpretation of the natural history and geology of the area in conjunction with interpretive themes. Objects of natural history will be collected with the appropriate coordination between local park management and the Midwest Regional Office. Every effort should be made to collect rare or threatened species following correct scientific procedures and regulations. Where it is not feasible, or ethical, to collect endangered species adequate documentation of their existence should be obtained.

The following collecting categories have been established:

##### a. Biology

(1) Flora - The collection and maintenance of a herbarium is done in conjunction with an important resource management objective. This goal is to return to the park the natural setting from a modern woodland/old fields combination to a climax forest with natural prairie openings, a condition that presumably reflects the environment of the prehistoric Native

Americans who constructed burial mounds. Specimens of plants will be collected on a continuing basis to document vegetational changes caused by the succession process.

The monument's herbarium represents specimens collected by staff researchers and naturalists, primarily Schabillon in 1963. This collection documents the flora of northeast Iowa and southwest Wisconsin and represent the species found within monument boundaries.

Future additions to the herbarium should consist of specimens collected from within the park boundaries as part of contracted research programs, or monument resource management activities. Specimens representative of the flora of the Driftless Area that are not already included within the herbarium should be acquired. Non-vascular and aquatic plants are types of plants that are not currently represented in the herbarium.

(2) Fauna - In general, there is little need for animal specimens in the museum collections. Specimens of birds, animals, fish, reptiles, nests, eggs and other fauna will be collected only in support of research needed to implement management strategies and primary interpretive themes. All specimens will be collected in a scientific manner in conjunction with an approved research or interpretive program.

The major exception to this policy is the establishment of an invertebrate collection as suggested in the Resource Management Plan. This collection should include insects and arachnids. Each insect family occurring in the park should be illustrated by at least one adult specimen, but no more than will fill the smallest appropriate size of pinning tray. Insect larvae and soft-bodied arachnids may be preserved in liquid. Species likely to arouse visitor interest because of their appearance, sound, bite or sting should be represented by at least one properly mounted adult specimen, but not more than will occupy the smallest appropriate size of pinning tray. Conspicuous larvae should be included. Species of importance in park management (parasites and others potentially requiring control measures) should be similarly represented.

Plant and animal specimens may be collected by parts (flowers, seeds, skulls, teeth, etc.) or as an entire organism depending upon the need. Live mounts (taxidermic specimens) will be collected only in types and quantities sufficient to implement exhibit plans. Animal specimens currently retained in the collection are for this purpose only. They are presently on exhibit in the visitor center museum. Live animal specimens will be collected outside the monument boundaries whenever possible.



Natural variation along gradients, within populations, or between populations, may require collecting more than one specimen per species. When a species is represented by a series of different forms, e.g., seasonal, morphological, sexual, etc., more than two specimens may be needed of each species collected. In either case, the number of specimens to be collected must be justified by the approved research or interpretive program before collection can occur.

All records associated with the biological collection (field notes, instrument sheets, etc.) will be retained in the museum collections. All specimens will be cataloged in accordance with regulation 36 CFR 2.5 which pertains to research specimens.

#### b. Geology

There is little need for collecting in this category. Although the geology and morphology of the monument area is significant, it is difficult to document and represent in museum specimens. There is no need for a general mineral and rock collection (other than the Orr material), and collecting should be limited to specimens needed for exhibits and other interpretive programs.

All records associated with a geological collection will be retained in the museum collections and subject to 36 CFR 2.5.

#### c. Paleontology

There is little need for collecting in this category. Surface finds of significance collected in a scientific manner are the only foreseeable additions to this category.

All records associated with a paleontological collection will be retained in the museum collections and subject to 36 CFR 2.5.

### 2. Cultural Collection

The purpose of this collection is to preserve a portion of our nation's cultural heritage and to increase knowledge and inspiration among present and future generations through exhibits, research and interpretive programs. The cultural collection is subdivided into three disciplines: archeology, history and ethnology. The following list identifies by discipline object types appropriate to the park's museum collections and notes the current representation of these types in the collections.

### a. Archeology

An archeological collection is generated in response to cultural resource management requirements related to legal mandates, to development of park facilities, to preservation-related activities, to research requirements and to interpretive needs. The archeological collection of the monument includes artifacts and other materials obtained using archeological methods.

Visitors and park staff are discouraged from picking up surface finds except park staff as a part of an authorized resource management project. Artifacts found on the surface by visitors should not be removed from their original location by the finder. They should be reported to park staff. If materials are turned into park staff, appropriate measures must be taken to ensure that the visitor collects no more material, that precise provenance information is recorded, if possible, and that the objects/data are promptly turned in to the monument curator upon receipt by staff members. Artifacts offered by individuals without any provenance information should be avoided, if possible. Objects from the site or directly associated to person(s) or event(s) commemorated by the site are more desirable than a similar object without such association.

Future additions to the monument's archeological collection should represent primarily the Woodland Period, with emphasis on the era of effigy mound construction. Additional material of an archeological nature may be considered for addition to the collection if the material represents other prehistoric cultural phases present in Northeast Iowa or has a direct connection with the Woodland Period represented in the monument or if it represents the work of historic figures directly connected with the monument.

Objects that should not be considered for the monument's collections would include material representative of cultural phases or periods not represented in the upper Mississippi River valley. In addition, objects from historic archeological investigations should not be added unless they meet the guidelines listed above.

Prehistoric material - The materials excavated provide base-line data used to describe the material culture of the Woodland Indian. The known prehistoric occupation of this area and the mound building is about 1000 B.C. to 1500 A.D. The Woodland Indians did not "just appear", live in total isolation, nor "disappear." Therefore, examples of prehistoric material culture from archeological sites outside the park are included in the museum collections to adequately interpret and better understand the cultural development of the Woodland Indians. In fact, this off-site material comprises the bulk of the archeological

material. The museum archeological collection is not primarily the excavated contents of the mounds. Most of the prehistoric artifacts associated with the site remain in situ, unexcavated in the mounds.

Prehistoric material presently found in the Effigy Mounds Collections includes pottery sherds (40%), stone implements (40%), animal remains (15%) and unidentified material (5%).

#### b. Ethnological

At present, the only objects of an ethnological nature that have been included in the monument's collections are those that formed a part of predominantly archeological collection donated to the park. The only ethnological items that should be considered for addition or retention would be those representative of the historic Indian groups that occupied the land represented by the monument before modern times.

Ethnological objects will be collected in types and quantities sufficient to implement exhibit plans but no more than one additional object of a given type will be collected as a reserve for eventual replacement of an exhibited object. Extraneous ethnological material will be referred to the local institution that should be the recipient.

#### c. Historical

A few artifacts of a historic nature are included in the collections, but only because they were part of a larger collection of predominantly archeological material donated to the monument.

This historical material is represented by maps, tapes, photos and slides documenting the cultural resources of the monument and/or the history and operation of the monument.

The only objects that should be considered for future addition to the collections are those representative of historic sites identified within monument boundaries or immediately adjacent to such boundaries or material representative of historic figures directly associated with the monument or effigy mound research. This may include material documenting historic occupation along the Mississippi and Yellow River valleys. Also useful would be material indicating the association of Marquette and Joliet or other historic figures on monument property.

Historic objects recovered during authorized excavations within monument boundaries or items representing historic sites in other areas that have a direct connection with the monument's cultural resources should be added. Objects of secondary interest would include material representative of the Woodland period that is from other areas outside the monument.

All records associated with archeological, ethnological or historical collection will be retained as part of the collection and subject to 36 CFR 2.5.

d. Summary of Unassociated Funerary Objects, Sacred Object, and Objects of Cultural Patrimony in Compliance with Native Graves Protection and Repatriation Act of 1990

The Native Graves Protection and Repatriation Act of 1990 (NAGPRA), 25 USC 3001-13, requires, in addition to other actions, a written summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony.

NAGPRA states the requirement as follows: "Each Federal agency or museum which has possession or control over holdings or collections of Native American unassociated funerary objects, sacred objects, or objects of cultural patrimony shall provide a written summary of such objects based upon available information held by such agency or museum."

The law provides the following definitions for the objects to be included in the summary (25 USC 3001):

"Unassociated funerary object" are defined as "Objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, where the remains are not in the possession or control of the Federal agency or museum and the objects can be identified by a preponderance of the evidence as related to specific individuals or families or to known human remains or, by a preponderance of the evidence, having been removed from a specific burial site of an individual culturally affiliated with a particular Indian tribe...."

"Sacred objects" are defined to be "specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present day adherents...."

"Cultural patrimony" shall mean "an object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Indian tribe or Native Hawaiian organization and such object shall have been considered inalienable by such Native American group at the time the object was separated from such group."

The park collection contains 53 "Unassociated Funerary Objects" and 41 object of "Cultural Patrimony." There are no "Sacred Objects" in the collection. The majority of the Unassociated Funerary objects are scrapers, sherds, blades and red ocher pieces. The items in the collection were obtained through gifts of the Ellison Orr Collection or field collection from excavations in the monument. Cultural affiliation of these objects is generally from the late woodland period or unknown.

Objects of cultural patrimony include pipes, catlinite, pipe stems and bowls, red ocher and copper beads and pieces. These objects were collected from mound excavations or acquired through gift donations as part of the Ellison Orr Collection. The majority of the items are from the Oneota or Sioux culture. A few objects are Hopewellian.

A complete summary listing of the Unassociated Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony for NAGPRA compliance is included in the Scope of Collection Statement as Appendix A.

The park staff has no future plans to excavate any mounds or archeological resources in the monument, therefore, it is probable that there will be no additions to the park collection relating to this section of the Scope of Collection.

If additional items are added to the collection, park officials will consult with affiliated Native American tribal governments for identification and care of the objects.

The Summary of Unassociated Funerary Objects, Sacred Objects, and Objects Of Cultural Patrimony (Appendix A) will be used in consulting with appropriate tribal government officials who may use the summary to request access to additional museum records related to cultural items of interest.

### III. ACQUISITION

The Park Superintendent, by delegation, represents the Secretary of the Interior in accepting title to and responsibility for museum objects. The Superintendent bears the ultimate responsibility for the acquisition and proper care and management of the museum collections. The Superintendent has delegated the day-to-day care of the collections to the park curator. Additions to the park's museum collections are made by field collection, gift, purchase, exchange, transfer and loan. Consideration will be given to the realistic limits of park collection storage space and of park staffing before collecting authorized and acquisitions are accepted. Acquisition of museum objects is governed by the park's ability to manage and preserve them according to the National Park Service Management Policies (December 1988), Chapter 5, and the standards for managing museum objects, in NPS-28, Cultural Resources Management Guideline, Chapter 3 Special Directive 80-1, and the National Park Service Museum Handbook, Part 1. Museum objects are acquired, accessioned, cataloged and inventoried in accordance with the procedures found in the National Park Service Museum Handbook, Part II, Museum Records. As required by NPS-44, Personal Property Management Guideline, Chapter 10, all proposals for the acquisition of firearms and ammunition, except archeological field finds, must be reviewed and approved by the Regional Curator.

The park will discourage gifts with limiting restrictions. In exceptional cases objects may be acquired accompanied by certain restrictions. These must be clearly stated on the Deed of Gift. Loans are not encouraged, and will be acquired only for a particular purpose (e.g., research or exhibition) and for a specified period of time.

Donors of prehistoric material must be able to demonstrate legal title to the materials and prove that they were not illegally removed from public lands. Gifts of prehistoric materials are not ordinarily accepted unless they have been collected in a scientific manner and have adequate provenience data associated with them.

Collecting, either under permit or by park staff, will be approved only in response to the park's need for on-site reference or to establish base line data. The museum collections will not be a repository for cultural or natural science specimens in excess of these needs.

All permanent acquisitions must receive formal approval from the Park Superintendent or the Designated Receiving Officer before they can be accessioned into the museum collections. Upon receipt, all newly acquired objects and related documentation must be turned over to the park curator. The park curator

prepares for the Superintendent's signature all instruments of conveyance, letters of thanks, acceptance, or rejection, and transmits these, as appropriate, to the donor, lender, vendor, or other source of acquisition.

The long term management and storage of the monument's cultural and natural history collections is the responsibility of the Chief of Interpretation and Resource Management or of someone designated by him/her. All collections should be acquired, accessioned and cataloged in accordance with the NPS Museum Handbook, Part II, Museum Records. Long-term storage of the collections should occur in the climate controlled facility that has been added to the monument's visitor center. The only exceptions are objects in permanent or temporary exhibits and those objects on specific loan to outside researchers, Park Service units, or institutions.

#### IV. USE OF COLLECTIONS

Access to museum collections shall be limited to those engaged in specific research projects and to the Chief of Interpretation and Resource Management or the individual designated by him/her to oversee collections management and to the Resource Management Specialist. Access to the collections also may be given to those preparing publications, films or museum exhibits at the discretion of the Chief of Interpretation and Resource Management. Objects and specimens used in interpretive programs will be limited to those already in the collections as of October 1, 1985, for which proper documentation cannot be established. These items will be specifically identified during the cataloging project and will be stored and identified separately from the general museum collections.

Any use of the collections for research purposes must be nonconsumptive. The archeological information represented by these artifacts cannot be duplicated from other sources. This policy is in accordance with the Interpretation and Visitor Services Guideline (NPS-6, Chapter 7, Release No. 2) and the Cultural Resources Management Guideline (NPS-28, Managers Guide, Chapter 3, Release 3.)

Objects may be loaned out to qualified institutions for approved purposes. Institutions must meet minimal museum standards for security, handling and exhibition of National Park Service museum objects. Sensitive materials may require additional conditions prior to a loan commitment. Expenses related to the loans of museum objects, including shipping and insurance, will normally be assumed by the borrower.

To fulfill the goals of the park as described in the introduction, the objects in the museum collections may be used for research, exhibits and interpretive programs under the following conditions:

A. Objects will be available for scholarly research purposes that are consistent with the long-term preservation mandate for the collection and subject to the park's written "Guidelines for Access to the Museum Collection." Outside researchers must normally submit a research proposal to the Superintendent for review by the park's research committee before access to the collection is granted.

B. In accordance with NPS Management Policies (December, 1988), Chapter 7, page 5, the park will not exhibit disinterred skeletal or mummified human remains. Grave goods or other sacred objects will not be displayed if Native Americans who are cultural associated with them object to such display.



C. Museum objects will not be used consumptively or in interpretive demonstrations without prior authorization, following the specifications of NPS-6, Interpretation and Visitor Services Guideline.

D. Destructive analysis and tests must comply with the restrictions and procedures outlined in NPS-28.

E. Photographs of museum objects are made available on a limited basis to provide an indirect use of the park museum collections through publications and exhibits. Many of the park's archeological artifacts have been illustrated in publications.

F. All museum exhibits containing museum objects must have proper security and appropriate environmental controls to ensure the long-term preservation of the objects on exhibit.

The governing consideration in the use of museum objects is the conservation of each object in question and the collections as a whole. Any use that may be defined as consumptive must be authorized in advance, as outlined in the Interpretation and Visitor Services Guideline (NPS-6).

The use of reproductions for interpretive or display purposes shall be left to the discretion of the Chief of Interpretation and Resource Management or to someone designated by him. The general use of archeological reproductions should be discouraged.

## V. RESTRICTIONS

Restrictions in addition to those applying to the use of the museum collections outlined in Section IV of this statement are as follows:

A. Effigy Mounds National Monument will not knowingly be a partner to, or encourage in any way, the trafficking in illicitly or unscientifically collected materials.

B. All endangered, threatened, or rare plants and animals will be collected only when accidentally killed or when dead from natural causes. Collecting threatened or endangered plant and animal species will be performed in compliance with National Park Service Management Policies (December 1988) and in accordance with provisions of the Endangered Species Act of 1973, as amended. This activity will be strictly controlled and limited, based on the appropriate rules of the U.S. Fish and Wildlife Service and the National Park Service. Endangered, threatened, or rare species will never be killed in the park for the sole purpose of adding a specimen to the museum collections. Specimens of species meeting these criteria may be added to the collections if they are accidently killed or found dead of natural causes.

C. Restrictions may be placed on the publication of images or manuscripts in the museum collections if these are subject to copyright, and this right has not been signed over to the National Park Service.

D. Because of the bulk of the material represented by the collections at Effigy Mounds National Monument is archeological in nature, access to the collections shall be only on a limited basis. General access to the collections shall be limited to the Chief of Interpretation and Resource Management or to the person charged by the Chief with curatorial responsibility over the collections or to those engaged in approved and authorized research projects.

E. Archeological research shall be limited to those areas of specific concern for the long term preservation and/or interpretation of the monument's cultural resources. The guidelines to be followed in determining access to the collections are outlined in the Cultural Resource Management Guideline (NPS-28, Managers Guide, Chapter 3, Release 3) and at the discretion of the Superintendent of the monument and/or the Chief of Interpretation and Resource Management or the person designated by him to oversee the collections. A collection access policy has been written and approved (June, 1991) to govern the access to the park collections and is included in the Collection Management Plan.

F. At this time space for the long term storage of collections is not a problem. Because space may become a problem in the future, the determination to limit collections shall reside with the Superintendent, the Chief of Interpretation and Resource Management, or the person appointed by him to oversee the collections, and the monument's Resource Management Specialist meeting together.

G. Human skeletal and Native American religious materials shall not be displayed or exhibited except that it be in compliance with Special Directive 78-1, Policy Guidelines for Native American Cultural Resources Management.

H. Park staff should use a great deal of discretion in disclosing archeological site information to the public. Only the mounds listed on the brochure map should be discussed with the park visitor and other archeological features should be touched on in generality in interpretive programs and with visitor contacts.

I. The park herbarium should be restricted in access just as the rest of the collections. Access to the Orr herbarium specimens should be very limited due to the age and consequent fragility of the specimens.

J. In a review of Native American cultural resources management at Effigy Mounds National Monument, it has been determined that Special Directive 78-1 is not applicable to the monument for the following reasons:

No historical Indian groups trace their ancestry to the inhabitants of the monument area during the Woodland period, nor have archeologists determined which, if any, historic tribe has descended from the Woodland mound builders.

There is no regular use of the monument by Native American groups for religious or other non-recreational purposes.

The above conditions, and the small Native American population in the immediate area have contributed to the non-involvement of Native Americans in resource management decisions.

## VI. MANAGEMENT ACTIONS

This Scope of Collection Statement is meant to coordinate and direct acquisition, storage and use of museum collections held at Effigy Mounds National Monument. It must be reviewed biennially and, when necessary, must be revised annually to remain supportive of and consistent with any changes in the monument's mission and National Park Service policy. Any revision to this document requires the approval of the Regional Director.

The monument's Superintendent will take action to implement this Scope of Collection Statement by removing objects inappropriate for the collections.

APPENDIX A

SUMMARY OF UNASSOCIATED FUNERARY OBJECTS,  
SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

NATIONAL PARK SERVICE  
 PARK NAME: EFFIGY MOUNDS NATIONAL MONUMENT  
 DATE: Oct. 14, 1992

**SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY**

NAGPRA categories are indicated in the left column under "Scope" as follows:

- 1 Unassociated funerary objects
- 2 Sacred objects
- 3 Objects of cultural patrimony

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	scraper	Northeast Iowa	gift	27Jun1950	Unknown
1	1	awl	13AM21, NE Iowa, O'Regan Ter	gift	27Jun1950	Oneota
1	24	sherd	Mound 2, NE Iowa, Paint Rock group	gift	27Jun1950	Late Woodland
1	1	scraper	13AM21, NE IA, O'Regan terrace	gift	27Jun1950	Oneota

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe	13AM21, NE IA, O'Regan Terrace	gift	28Aug1958	Oneota
1	3	projectile point	13AM14, NE IA, Burke's Mound	gift	27Jun1950	Woodland, Oneota
1	1	abrader	Terrace of Upper Iowa River	gift	27Jun1950	Unknown
1	1	pot	Terrace of Upper Iowa River	gift	27Jun1950	Unknown
1	1	red ocher	Lansing, IA	Field Collection	pre1970	Unknown
1	1	pot	13AM83, Md. 36 or 37, EFMO	gift	23Feb1958	Unknown
3	1	pipe	Glenwood area, Mills Co., Iowa	gift	27Jun1950	Unknown

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe	Glenwood area, Mills Co., Iowa	gift	27Jun1950	Unknown
1	1	red ocher	13PM3, Kimball Md. Plymouth Co	gift	27Jun1950	Unknown
1	1	rubbing stone	13AM82, Md. 36 or 37, EFMO	gift	23Feb1958	Effigy Mounds
3	3	catlinite	Pipestone National Monument	gift	27Jun1950	Sioux (Dakota)
3	1	catlinite	Black Pipe Creek, SD Mellet Co.	gift	27Jun1950	Sioux (Dakota)
1	1	concretion	13AM82, Md. 36 or 37, EFMO	gift	23Feb1958	Effigy Mounds
1	1	paint stone	13AM82, Md. 36 or 37, EFMO	gift	23Feb1958	Effigy Mounds



Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	Galena crystal	13AM82, Md. 36 or 37, EFMO	gift	23Feb1958	Effigy Mounds
3	1	pipe	NE Iowa	gift	18Nov1961	Unknown
3	1	breastplate	13AM82, Md. 36 or 36, EFMO	Field Collection	20Nov1959	Unknown
3	1	New Albin tablet	13AM66, New Albin, Iowa	gift	16Oct.1960	Oneota
3	1	catlinite	Pipestone National Monument	gift	27Jun1950	Sioux (Dakota)
3	1	arrow	NE Iowa	unknown	04May1960	Sioux (Dakota)
3	1 ea.	pipe stem and bowl	unknown	gift	27Jun1992	Sioux (Dakota)

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1 ea.	pipe stem and bowl	Chamberlain South Dakota	gift	27Jun1950	Sioux (Dakota)
3	1 ea.	pipe stem and bowl	Pipestone National Monument	gift	27Jun1950	Sioux (Dakota)
3	1	moccasin	unknown	gift	27Jun1950	Sioux (Dakota)
3	1	copper	NE Iowa	Field Collection	1950	Unknown
3	1	red ocher	13AM190, EFMO	Field Collection	05Jul1965	Unknown
3	1	red ocher	13CT18, EFMO, Sny Magill	Field Collection	17Aug1952	Unknown
3	1	copper	unknown	Field Collection	pre1985	Unknown

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe bowl	unknown	Field Collection	pre1985	unknown
3	1	pipe bowl	unknown	gift	19Jan1970	unknown
1	5	blade	13AM43, NE Iowa	loan	27Apr1987	Oneota
3,1	3	copper beads	13AM43, NE Iowa	loan	27Apr1987	Oneota
3,1	1	copper bracelet	13AM43, NE Iowa	loan	27Apr1987	Oneota
3	1	copper serpent	13AM16, NE Iowa	loan	27Apr1987	Oneota
3	1	pipe	Bluffton, Winneshiek Co., Iowa	loan	27Apr1987	Historic Winnebago

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe	NE Iowa Allamakee	loan	18Mar1987	Oneota
3	1	pipe	NE Iowa Allamakee Co.	loan	18Mar1987	Hopewell
3	1	pipe	NE Iowa, Allamakee Co.	loan	18Mar1987	Late Woodland
1	1	pot	13AM60, NE Iowa, Malone Cemetery	loan	27Apr1987	Oneota
1	1	core	13AM150, Luther- Hennessy Md.	loan	18Mar1987	Middle Woodland
3,1	1	copper gorget	Mound 57, EFMO	Field Collection	1950	Hopewell
3,1	1	copper breastplate	13AM82, Fire Point EFMO	Field Collection	08Jul1952	Hopewell

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	awl sharpener	Terrace of Upper Iowa River	gift	27Jun1950	Oneota
3	5	Copper beads	13CT38, Sny Magill, EFMO	Field Collection	17Aug1952	Hopewell



As of 4/06/1992 we are operating under this draft of the Collection Management Plan (CMP). According to TAM #we never received an approval or cover sheet. The project (CMP) was interrupted before final approval was received.

## SALVAGE OPERATIONS PLAN

### VISITOR CENTER

### EFFIGY MOUNDS NATIONAL MONUMENT

#### INTRODUCTION

This plan is designed to aid in the protection of archeological objects and museum items in the visitor center during a disaster. It is specifically designed for use in the event of a structural fire. This plan deals with response to such a disaster, not with recovery.

It is impossible to plan for every scenario so the plan is somewhat general. Actual response will depend on the location and duration of the fire, time of day and weather conditions, number of park staff available to help implement the plan, etc. Several considerations are raised in an effort to help the staff think about concepts involved in such an operation. Priorities have also been set. With staff training it is hoped this plan will help limit the damage to these irreplaceable archeological and museum items in the event of a disaster at the visitor center.

#### RESPONSIBILITIES

##### 1. City of McGregor Fire Department

The primary responsibility of the McGregor Fire Department is to protect human life and to extinguish the fire. In the performance of these responsibilities every effort should be made to protect irreplaceable objects through removal or through standard fire salvage techniques.

##### 2. Park Staff

The ranking NPS official, with the approval of the ranking Fire Department Officer on the scene, will authorize any salvage operations that are to be carried out by the park staff. NO entry will be made into the building without the approval of the fire department. In conducting salvage operations the park staff will be under the direction of the Park Curator or Chief Park Ranger.

Training will be the responsibility of the park staff. In a joint effort of the Park Curator and Park Safety Officer, training will be provided to all staff members on a periodic basis. This training will consist of orientation in the buildings, how to conduct safe removal of objects, locations of salvage caches, and review of this plan with questions and answers.



## VISITOR CENTER SALVAGE CONSIDERATIONS

The following comments take into account the danger to objects from smoke or water damage compared to the risk of moving the objects. Staff safety is paramount during the entire salvage process. Threats to staff safety are smoke, fire and falling parts of the building as well as personal injury from moving objects (muscle strain, dropping objects on your toe, etc.). The size and strength of each salvage crew member must be taken into account when attempting to move objects. If you have the option, let stronger and larger people move larger, heavier items while others move smaller items.

While some objects may be too fragile to move safely, consideration should be given to moving them if they are seriously threatened by destruction from fire.

### SALVAGE PROCEDURES

1. Enter the visitor center only with the approval of the fire department and at the direction of the Park Curator or Chief Ranger. Enter the building only in pairs. DO NOT ENTER THE BUILDING ALONE.
2. Safety helmets must be worn to protect park staff and to provide identification of that person as a park staff member to the fire department. If necessary, each person will also carry a flashlight or headlamp.
3. Quickly move all items to the center of the room or next to immovable pieces.
4. Do not waste time carrying items out one at a time. Archeological resources should be lumped together and deposited in one location and provide for their security.

### VISITOR CENTER/MUSEUM LIST

Salvage priorities have been made with a thought toward objects which would be most vulnerable to damage from smoke or water because of material or location. Priority has also been given to objects which are unique and therefore impossible to replace if lost or damaged.

These items have been given priority in the museum and visitor center lobby should a fire occur in the main floor of the visitor center.

1. All objects contained in the archeological (inner) horseshoe museum case are the most valuable pieces in the museum. These

pieces should be given first priority in the event of a fire. The following items in the horseshoe have top priority:

- A. New Albin Tablet
- B. Hopewell figurine
- C. Hopewell pot/vase
- D. Large points

The exhibit cases themselves will offer some protection to the objects from smoke or water. The Park Curator and Chief Ranger will have to use their own discretion at the time of the emergency to remove these objects from the exhibit cases.

2. The next priority in the visitor center is the scale model of the monument located at the east end of the lobby. This model top can be carried out by two or three people through the side door on the east end of the breezeway. If time does not permit, a tarp can be dropped over the model.

3. The exhibit material contained in the temporary exhibit case may at times contain valuable archeological or historical artifacts. This case can be carried out of the room or covered with a tarp.

4. Desks, radio and computer equipment should be placed in a central location and covered with a tarp.

REMEMBER SAFETY!

Your life and the lives of others on the salvage crew are more important than any objects or items in the visitor center. Be alert to safety hazards. Follow instructions of the Park Curator, Chief Ranger, Safety Officer and fire department officials. Keep in mind that smoke inhalation is a very serious threat to your safety and life. If threatened by smoke get near the floor and head for the nearest exit door.

# memorandum

DATE: February 6, 1988

REPLY TO  
ATTN OF: Staff Curator, MWRO

SUBJECT: Collection Management Plan draft

TO: Superintendents, Effigy Mounds and Mound City Group

AREA DISTRIBUTION	
TO	Initial
Superintendent	VH
Chief Ranger	JS
Admin. Tech.	
Chief, Dist.	
Res. Mgr.	
Maintenance	
Inspectors	
Park Host	

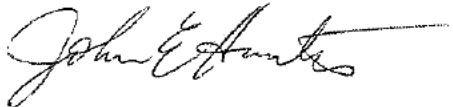
FEB 10 1988

Here is a copy of the Collection Management Plan drafted for your park by contractor Betsy Bradley.

I have not sent this to you previously because I wanted to edit and reprint it first. I have it in my computer. Now it looks like I will not be able to get to this for at least another 3 weeks. Therefore, I am sending you Betsy's first draft. Please let me have your comments by the end of February. I will include your comments as I redraft the CMP with my own input. You then will receive the final draft for official review, under a cover memorandum from the Regional Director.

If you have any questions, wait until February 22 or later to call me. I will be out of the Office until then.

I am sorry that your CMP has been delayed. When Betsy was declared ineligible to continue the project, I had to take it over. It has been a lot of work on top of everything else here. Thanks for your patience.



John E. Hunter

Enclosure

## Appendixes

### Appendix A. Scope of Collection Statement

1. 1985 EFMO Scope of Collection Statement
2. "Guidance on Writing a Scope of Collection Statement"
3. MEVE use policy *link*
4. Copyright information

### Appendix B. Museum Records

1. Page from EFMO Accession book *end*
2. Samples of catalog records (EFMO - please provide 2 samples, one of the Arch center cataloging, and a draft Petersen record with registration data only)
3. Regional Curator's Comments on Recently Prepared Forms 10-254 *link*.

### Appendix C. Museum Storage

1. Proposed floor plan
2. Pallet design
3. Cut foam storage instructions
4. Archival storage supplies information
5. Supply list

### Appendix D. Museum Exhibits

Any correspondence on the new exhibits or other information you can think of? } ?

### Appendix E. Curatorial Staffing

1. EFMO park ranger/chief I & RM position description
2. EFMO park ranger/chief I & RM performance standards
3. Generic curatorial performance standards
4. MEVE archeologist position description *MEVE CAMP*

### Appendix F. Collection Management Planning

1. 10-238 packages 801, 804, 509

Draft  
Effigy Mounds National Monument  
Collection Management Plan

Prepared by  
Betsy H. Bradley

October, 1987

Effigy Mounds National Monument  
Collection Management Plan

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## Introduction

Effigy Mounds National Monument was established in 1949 to preserve the earth mounds, built in the shapes of birds and other animals, in north-eastern Iowa. The 191 known prehistoric mounds, 29 in the form of bear and bird effigies and the remainder conical or linear shaped, are considered to represent "a significant phase of the mound building culture of the prehistoric American Indians."

The museum collection at Effigy Mounds National Monument (EFMO) documents and supports the park's resource management and interpretive programs. The main archeological theme is the story of the mounds themselves, and of the cultures of people who constructed them. Secondary themes include the botany, history, and geology related to the site and prehistoric inhabitants, and historic uses of the area.

The museum collection, approximately 10,000 artifacts and specimens, is primarily an archeological collection. Although the collection includes artifacts and records that document the archeological record of the monument and immediate area, most of the prehistoric artifacts associated with the site remain in situ, unexcavated in the mounds.

A major portion of the EFMO collection is the Ellison Orr collection of archeological, natural history, and historical material collected between 1900 and 1945 from various sites in Iowa. The Orr material includes artifacts, a research library, a collection of personal papers and unpublished archeological reports, a mineral collection, a fossil collection, and a herbarium. There are additional artifacts from National Park Service excavations and donations from private citizens.

Since the majority of the burial mounds have never been excavated, there is a potential for growth of the collection. However, current resource management plans call for non-destructive investigation of the mounds, and it appears that more field generated records than artifacts will be added to the collection in the foreseeable future.

The collection includes very small quantities of ethnological and historical material in addition to the Orr Collection. Natural history specimens, an incomplete herbarium and proposed invertebrate collection, support resource management projects.

The museum records are incomplete although much progress has been made recently. There are 2717 complete catalog records, and another 4200 records have registration data only and are in draft form. Nearly three thousand objects remain undocumented.

The basement of the Visitor Center was enlarged in 198- to create a collection storage room and other facilities. This addition is protected by fire detection and halon fire suppression systems. Artifacts are stored in standard specimen cabinets.

A new series of museum exhibits are scheduled for installation in the fall/winter of 1987. These exhibits will replace Mission 66 exhibits with displays featuring the changing seasons, and an archeological time-line.

The Effigy Mounds NM staff has been without an archeologist for some time. Collection management is the duty of the park ranger, Chief of Interpretation & Resource Management. Recently, a seasonal employee worked extensively with the collection, and greatly improved the museum records.



## Scope of Collection Statement

Both the Cultural Resources Management Guidelines (NPS-28) and the NPS Management Policies include a specific requirement that each park unit have an approved Scope of Collection Statement.

Such a Statement defines the purpose and limits of the museum collection; it is the policy that guides the acquisition and disposal of museum objects. The Statement specifies the subjects, geography, and time to which the collection must relate and considers the uses to which it will be put. The document must be more than a description of what is currently in the collection; the statement should state what ought to be in the park collection considering the role of the museum collection in documentation, research and interpretation of park resources. The statement should also set limits for the extent of material in subject matter categories.

### Current Status

The Effigy Mounds Scope of Collection Statement, approved in 1985, is a well-written document that describes the general collecting philosophy of the monument. The statement format follows the guidelines issued that year for writing such statements. (See Appendix A.)

### Recommendations

#### I. Revising the Scope of Collection Statement

A revision of the Scope of Collection Statement is recommended to incorporate several required statements and to better define collecting

categories, deficiencies, and management actions concerning the collection.

The following discussion addresses the current statement, section by section. Draft statements that may require local editing prior to insertion into the document are indented. Other additions to the statement are discussed, and must be written by the park staff more familiar with the museum collection.

### **Section 1. Introduction**

1. The Introduction should include a more specific reference to park planning documents. The 1986 Interpretive Prospectus should be mentioned in the listing of interpretive themes.
2. A reference to management goals stated in the Statement for Management should be included. The Collection Management Planning section of this Collection Management Plan includes recommendations for improvement of the wording of management goals relating to the museum collection.
3. A brief, accurate description of the collection should be developed for use in this introduction section and other park planning documents. A suggestion:

The museum collection at Effigy Mounds National Monument includes approximately 10,000 artifacts and specimens relating to the prehistoric and historic aspects of the site. The majority of the collection is the Ellison Orr Collection which includes artifacts, a research library, a collection of personal papers and unpublished archeological reports, mineral and fossil collections, and a

herbarium. Additional artifacts have been produced by NPS archeological projects and acquired from private citizens. Natural history specimens, a herbarium and a proposed invertebrate collection, address natural resource management issues.

Nearly 3000 catalog records have been completed, and another 4200 draft records have registration data only entered. The collection is stored in an artifact storage area in the basement of the visitor center protected with a halon fire suppression system. A number of prehistoric artifacts are on display in new exhibits installed in the visitor center in (date).

The museum collection is not, primarily, the excavated contents of the numerous mounds in the monument. Most of the prehistoric artifacts associated with the site remain in situ, unexcavated in the mounds.

This statement, and other descriptions of the museum collection, should make the important point that the museum collection has material not excavated from the mounds. The museum collection at EFMO is quite different from that at Mound City Group National Monument where all of the mounds have been excavated, and virtually all artifacts associated with that site are in the museum collection.

4. Although the following statements are included in Section 2 of the EFMO Scope of Collections Statement, they should also be included in the Introduction according to the "Guidance on Writing a Scope of Collection Statement."

All archeological materials recovered from within park boundaries

through systematic investigation are NPS property and must be retained in the park's museum collection per 43 CFR Part 7 and NPS-28. Similarly, 36 CFR 2.5 states that natural history specimen collecting permits issued by the Superintendent require the following conditions: (1) Specimens placed in displays or collections must be identified with NPS museum labels and must be cataloged into the park's museum collection, and (2) Specimens and data derived from consumed specimens must be made available to the public and reports and publications resulting from a research collecting permit must be filed with the Superintendent.

## **Section 2, Types of Collections**

The major deficiency in the this section is the lack of specific collecting categories and object types. One cannot get even a general idea of the types of artifacts and objects in the collection from reading the Scope of Collection Statement, or learn what deficiencies there are in collecting categories.

Because so great a percentage of the collection is the Ellison Orr collection that would fall in nearly all object types, a slight variation from the standard format for a Scope of Collection statement is recommended. A separate section for just the Orr collection should address that collection in its entirety, and additional object categories will address the remainder of the collection.

### **I. The Ellison Orr Collection**

In June, 1950 the Orr collection of archeological materials, fossils,

minerals, herbarium specimens, photographs, books, manuscripts and papers was accessioned into the newly established EFMO museum collection. This accumulation documents the work of Dr. Ellison Orr, an archeologist for the State of Iowa whose work focused on the northeast corner of Iowa, and the Effigy Mounds.

1. The collection includes:

- a. Several thousand individual artifacts excavated by Orr (where?). These should be listed by at least the categories mineral, vegetal, animal, human remains, and unidentified material. Large object type groups, such as ceramic sherds, bone implements, stone implements, worked lithics, and copper ornaments should be mentioned with estimated number of artifacts in each group.
- b. A group of 44 fossil specimens has been placed on (type of loan) loan to -----.
- c. A collection of 242 mineral specimens collected and labeled by Dr. Orr.
- d. Approximately 200 herbarium specimens collected and labeled by Dr. Orr.
- e. An archival collection of manuscripts, un-published archeological reports, field records, photographs, library of (#) books, and papers is extensive. Most, but not all, of this material concerns Orr's archeological work.

f. A small collection of ethnological and historical objects .

2. The park must come to a decision concerning the importance of this collection as an organic collection documenting one man's body of work. Because not all of Orr's material relates directly to the established purpose of the monument, current resource management goals, and interpretive themes, the scope of the museum collection must be expanded to justify their inclusion. The fossil and mineral collections, papers concerning Orr's natural history observations, and books not related to the site, are examples of this marginal material.

Collecting Options:

a. The life and work of Ellison Orr could be made a minor interpretive theme of the park, and the entire Orr collection would remain in the museum collection.

b. The failure of some of the Orr material to relate directly to the park themes could be acknowledged, and management actions taken to reduce the burden of such material. Such actions could include long-term loans of the fossil and mineral collections to other institutions, and placement of the archival collection and/or library in an appropriate research institution.

c. The extent of the Orr collection in the EFMO museum collection could be limited to the archeology of the burial mounds in either northeast Iowa or the monument sites, and management actions taken to remove additional material from the collection.

This portion of the statement should also address the possibility of collecting additional Orr-related objects. This policy should be based on knowledge of additional material that might be available, and interest of other institutions in Orr and his archeological work.

Any decision concerning the importance of the Orr collection as an organic collection, and the significance of the relationship of Dr. Orr to the Effigy Mounds National Monument should be based on an evaluation of the man and his work. A study/project summarizing and evaluating the importance in his contribution to the field of archeology and the Iowa State Archeologist's office, and evaluating his archival collection should be undertaken by an archeologist familiar with the Woodland Indian archeological record. See the Socio-Cultural Resources Inventory Project Statement in the Resources Management Plan section of this document.

## II. Other Collecting Categories

The introductory paragraph(s) should include the following standard statement:

Objects from the site or directly associated to person(s) or event(s) commemorated by the site are more desirable than a similar object without such association.

Collecting categories:

### A. Archeology

1. Artifacts and Specimens. The introductory paragraphs should include the description of non-Orr material as described in the current document. The extent of artifacts excavated from the mounds by the National Park Service should be described.

Major collections from private individuals can be noted, such as the Olsen, Hayes, and Blackwell collections. The Scope of Collection statement should have a specific, explicit policy concerning the acceptance of archeological artifacts offered by individuals without any provenience information. Since the park already has a fair amount of this type of material, the problem is a real one. Yet there are undoubtedly privately owned collections in the immediate area that have objects of interest, although without provenience information. A case-by-case approach to this problem can be influenced unduly by politics.

Then specific object types, those suggested in the Orr collection categories should be listed and the approximate number of objects of each type should be mentioned. Any noted deficiencies in the collection should be noted, such as the lack of an example of a type of decorated ceramic.

2. Associated Records. In addition to the standard statement that all field generated records will be part of the collection, this section should note this major deficiency in the Effigy Mounds NM collection. There are very few records for NPS excavations in the monument and a high priority should be given to the location and acquisition of archeological field records. Perhaps these records are available in other NPS records collections, such as the Archeological Center, Regional office library, etc.



3. Surface finds. A policy for dealing with surface finds should be included. Many of the accessions are surface collections at historic and prehistoric village sites made by NPS employees. A policy stating that such surface collecting is undertaken as part of resource management projects, and only by authorized personnel, should be included. Also, a policy for dealing with any surface finds submitted by park visitors should also be stated. Some parks simply replace surface finds where visitors report they found them.

#### B. Ethnological

The statement in the current document implies that there is little need for ethnological material from Indian groups in the area during the historic period. The policy of collecting only for exhibit purposes could be stated more strongly, and be supported by stating that ethnological material will be referred to the local institution that should be the recipient.

#### C. Historical

The historical material currently in the collection that is not part of the Orr collection is minimal. The statements concerning the need for additional historical material are quite vague. Specific examples of material relating to historic sites and historic figures that would be collected would make this section more useful.

## II. Natural History

To satisfy guidelines for the Scope of Collection Statement, this section should be re-written in the format that follows:

## Natural History Collections

The collecting and maintenance of natural history specimens is a secondary aspect of the museum collection and will be undertaken only in conjunction with resource management, research and/or interpretation of the natural heritage of the monument. Collections should be acquired only in conjunction with the following specific purposes:

1) to establish a permanent base of information about the plants that historically and presently grow within the monument in conjunction with natural resource management projects; 2) the establishment of baseline information about the invertebrate population of the park, including aquatic insects; and 3) interpretation of the natural history and geology of the area in conjunction with interpretive themes. Objects of natural history will be collected with the appropriate coordination between local park management and the Midwest Regional Office.

The following collecting categories have been established:

### A. Biology

1. Plants. The monument currently has two incomplete herbarium collections: 1) approximately 200 specimens collected by Ellison Orr prior to 1913, and 2) specimens collected by recent staff researchers and naturalists, primarily by Schabilion in 1963. These collections document the flora of northeast Iowa and southwest Wisconsin, and represent species found within monument boundaries.

The collection and maintenance of a herbarium is done in conjunction with an important natural resource management objective. This goal is to return the natural setting from a modern woodland/old fields combination to a climax forest with natural prairie openings, a condition that presumably reflects the environment of the prehistoric Native Americans who constructed the burial mounds. Specimens of plants will be collected on a continuing basis to document vegetational changes caused by the succession process.

Future additions to the herbarium should consist of specimens collected from within park boundaries as part of contracted research programs, or monument resource management activities. Specimens representative of the flora of the Driftless Zone that are not already included within the herbarium should be acquired. Non-vascular and aquatic plants are types of plants not currently represented in the herbarium.

2. Animals. In general, there is little need for animal specimens in the museum collection. Specimens of birds, animals, fish, reptiles, nests, eggs, and other fauna will be collected only in support of research needed to implement management strategies and primary interpretive themes. All specimens will be collected in a scientific manner in conjunction with an approved research or interpretive program.

The major exception to this policy is the establishment of an invertebrate collection as suggested in the Resources Management Plan. This collection should include.....

Specimens will be acquired as needed for exhibition purposes. Live animal specimens will be collected outside the monument boundaries whenever possible.

3. Records. All records associated with biological collections (e.g. field notes, instrument sheets, maps, etc.) will be retained in the museum collection.

4. Collections Subject to 36 CFR 2.5. This category includes all specimens that must be cataloged in accordance with this regulation.

B. Geology. There is little need for collecting in this category. Although the geology and morphology of the monument area is significant, it is difficult to document and represent in museum specimens. There is no need for general mineral or rock collections (other than the Orr material), and collecting should be limited to specimens needed for exhibits of other interpretive purposes.

Records. All records associated with geological collections will be retained in the museum collection.

Collections Subject to 36 CFR 2.5. This category includes all specimens that must be cataloged in accordance with this regulation.

C. Paleontology. There is little need for collecting in this category. Surface finds of significance or collected in a scientific manner are the only foreseeable additions to this category.

Records. All records associated with paleontological collections will be retained in the museum collection.

Collections subject to 36 CFR 2.5. This category includes all specimens that must be cataloged in accordance with this regulation.

### **Section 3, Acquisition**

1. This section should state the ways that museum objects can be acquired:

The park may acquire/collect objects for its museum collection by gift, purchase, exchange, transfer, field collection, and loan.

2. The responsibility of the Superintendent for managing the collection and accepting title to objects has been omitted from this section. A passage similar to the following is needed.

The Park Superintendent, by delegation, represents the Secretary of the Interior in accepting title to and responsibility for museum objects. The Superintendent bears the ultimate responsibility for the acquisition and proper care and management of the museum collection, although the day-to-day care has been delegated to the Chief of Interpretation and Resource Management.

### **Section 4. Use of the Collection**

1. The policy of using archeological specimens with no proper documentation for interpretive purposes should be done in accordance with

policies and procedures in NPS-6.

2. The monument may wish to draft a "Use Policy" to distribute to researchers interested in using the museum collection and records. The Scope of Collection statement can state that all use of the collection shall conform to this policy. See example in Appendix A. ? 6006

#### Section V. Restrictions

1. A reminder that archeological site information should be disclosed with a great deal of discretion could be included.

2. The park staff has expressed concern about who should have access to the herbarium. Normally, the herbarium should be as restricted in access as the rest of the collection, unless employees need to use the herbarium to prepare for interpretive duties.

Access to the Orr herbarium specimens should be very limited due to the age and consequent fragility of the specimens. This section of the Scope of Collection statement could state that interpreters shall have access to the herbarium specimens as needed to prepare for their duties.

3. The park should investigate the copyright rights for the Orr material. Any restrictions placed by the holder of the copyright, be it an Orr heir of the NPS, should be stated. See Appendix A for information on copyright law.

4. The park could add the following statement adapted from the Mound City Group National Monument Scope of Collection Statement:

In a review of Native American cultural resources management at EFMO, it has been determined that Special Directive 78-1 is not applicable to the Monument for the following reasons:

No Historical Indian Groups trace their ancestry to the inhabitants of the monument area during the Woodland period, nor have archeologists determined which, if any, historic tribe has descended from the Woodland mound builders;

There is no regular use of the Monument by Native American groups for religious or other non-recreational purposes.

The above conditions, and the small Native American population in the immediate area have contributed to the non-involvement of Native Americans in resource management decisions.

#### **Section 6, Management Actions**

1. The following management actions could be added to this section:

The Monument Superintendent will take action to implement this Scope of Collection Statement by removing objects inappropriate for the collection.

The monument proposes to photograph and quantify the human remains still in the museum collection, and rebury them in a recorded location.

2. A statement concerning the existence of an approved Collection Management Plan, the date of the plan, and the continued usefulness of the document should be added.

3. The desirability of retaining the museum collection in the park, rather than at the Midwest Archeological Center, could be stated in a statement similar to the following:

The EFMO collection will be kept permanently in the park to maintain the integrity of the Effigy Mounds site. The scientific, archeological emphasis of the monument, and the integral relationship between the archeological artifacts and the Ellison Orr collection to the monument and immediate area, are the primary reasons for this management policy. All collection management decisions are based on the long-term retention of the collection in the monument.

## II. Implementing the Scope of Collection Statement

The following objects do not fall within the Scope of Collection as approved in 1985, or the proposed changes in this document:

1. The rock collection. The extensive rock collection found in the visitor center crawl space does not fall within the categories in this Scope of Collections statement. It should not be accessioned into the museum collection, but declared surplus and offered as a donation to an appropriate non-profit institution. The collection should be inventoried to determine the contents of the collection, and so it can be described appropriately in disposition documents.



2. Fossil specimens. The three rocks with fossil specimens found in the crawl space need to be identified by a paleontologist. If the specimens could have been found within the monument or immediate area, they should probably be accessioned into the museum collection. If the specimens have no association with the geographic area, they should be disposed of according to NPS policy.

3. The bobcat. This Florida roadkill taxidermic mount seems to have little relationship with the monument. Since the current exhibit plans did not use the specimen, it should be deaccessioned.

4. The Human Remains. The museum collection includes several hundred pieces of human bone, perhaps as many as 1000 artifacts which have never been cataloged. The Iowa State Archeologist's Office has already processed and re-buried all human remains from non-NPS owned sites. The remainder of the human bones will be photographed and inventoried, and re-buried in a recorded location.

## Museum Records

The National Park Service standards for museum records state that every object in the park museum collection must be accessioned, cataloged, and numbered in accordance with the procedures detailed in the NPS Museum Handbook. The National Park Service also has requirements for periodic inventories of museum collections.

### Current Status

The museum records at Effigy Mounds NM are approaching a degree of completeness. The 136 accessions are documented in varying degrees, although much of the paperwork required in accession folders is not on hand. There is no source of accession file.

There are 2717 complete catalog records, and 4252 additional draft catalog records with registration data only entered. 1137 of the complete records were done by the Midwest Archeological Center in 1975. (See Appendix B for samples.) There are several groups of objects yet to be cataloged: the Orr fossil collection, the Orr archival collection, approximately 1000 archeological artifacts, nearly 1000 herbarium specimens, and the improperly lot-cataloged Orr mineral collection, and a small group of field generated records for archeological projects.

During 1984-86 seasonal park ranger Robert Petersen worked extensively with the museum records. He improved older accession records, and accessioned several groups of objects. He completed four thousand draft catalog records, and numbered the objects.

There are no photographic records of the collection.

Once completed, the museum catalog will include just under 10,000 entries that will account for 12-13,000 objects.

## Recommendations

### I. Accession Records

#### A. The Accession Book.

1. Several entries in the accession book are incomplete. Accessions 48-54, 59-76, 94-97 and a few others have no "date received" entered. If the date of acquisition is unknown, the person making the entry in the accession book should enter "unknown, prior to (current date)". Dates should be entered in the day/month/year format. See Appendix B for a sample page.
2. All NPS employees entered in the "Received From" column should be identified by title.
3. There are only 6 ways to acquire accessions: gift, purchase, exchange, transfer, field collection, and loan. Entries such as "on hand," "NPS project," "unknown," as well as no entries should all be considered field collections. Section 2-J of Part II, the Museum Handbook discusses how to handle unaccessioned objects already in the custody of the park.
4. One of the greatest deficiencies with the accession records, particularly in regards to their usefulness, is the lack of entry of

catalog numbers in the accession book. It is impossible to identify and find objects in an accession by using only the accession records.

For small accessions the catalog numbers should be entered in the end column of the accession book. For larger accessions, the numbers should be entered on an inventory in the accession folder.

5. All entries in the accession book should be made in permanent ink, not standard ball-point pen.

6. The accession book could be sent to Curatorial Services for re-binding in a thinner volume.

7. The deaccessioning documentation for accessions 27, a temporary loan; 46, given to Luther College; and 55, given to Dean Thompson, State Archeologist Office should be reviewed for completeness.

8. Accession 37 needs a notation that an axe was traded for a celt in accession 38.

9. Accessions 44 and 130 have notations that since there is virtually no information about the objects in the accessions, they should be considered for interpretive use only and not be cataloged. In the future, it would be better not to accession objects with no provenience information, and request approval for use in conjunction with procedures in NPS-6.

#### **B. Accession Folders**

1. In general, each accession folder needs a complete inventory of the

accession with catalog numbers entered. Form 10-95a can be used.

2. Secondary documentation of acquisition for many accessions has been entered on form 10-95, the Accession Receiving Report; any accessions not addressed in this manner should be done so. Unsuccessful attempts to acquire signed deed of gift forms and other primary accession documents should be noted. Any additional information about individuals involved, or circumstances of acquisition should also be entered.

3. The Accession 2 folder needs to be organized and cleared of duplicate documents concerning the extensive Orr collection. A series of accession folders should be created to handle the considerable paperwork concerning this collection:

a. The primary accession folder should include a complete inventory, with catalog numbers, and the deed of gift paperwork to establish ownership of the material.

b. A library folder should include a copy of the library catalog cards should be included as an inventory of that portion of the archival collection in a separate folder.

c. The Orr archives lot cataloging inventory and finding aids can be placed in a separate folder.

d. A loan folder should include documentation and inventories of all loans, including the current loan of the fossil collection.

e. A folder for original Orr tags and labels for artifacts should contain these items in mylar envelopes labeled with the NPS catalog number of the object they were associated with. The inventory should mention the labels and tags as part of the collection, and catalog cards should include the notation "original paper label/tag in accession folder".

4. Accession 3 was originally lot cataloged as #1142. It has been recataloged individually, and the new catalog numbers should be noted, and the reason for the recataloging.

5. The following accessions were not found in an inventory conducted by Robert Petersen in 1985-86: 6, 7, 9, 15, 20, 21, 23, 27, 29, 30, 38, 45, 63, 69, 74, and 76. Deaccession documentation requires the completion of a Report of Survey (DI-103) and review by a Board of Survey. If appropriate, a Case Incident Record (10-343) should also be prepared. See procedures outlined in Interior Property Management Regulation 41 CFR 114-60.9 and NPS Special Directive 82-2. These forms should be placed in the accession folder. Losses should be reported in the "Deaccessions" section of the Collections Management Report, (Form 10-94).

6. The photographs in the accession 27 folder are taped onto paper. They should be dry-mounted onto a Form 10-30, National Visual Inventory Card, or the back of the classification copy of the catalog card.

7. An Incoming Loan Form, (Form 10-98) should be completed for accession 32.

8. Accession 55 has been transferred to the State Archeologist. Although a Transfer of Property, DI-104 form, has been completed, it is not dated.

9. On DI-105 forms, such as in Accession 84, specific dates for collection and receipt should be entered, not just the month and year.

### C. Completing the Accession Records

1. The following material should be accessioned:

- a. 2 loans of material for exhibits
- b. 2 taxidermic mounts for exhibits
- c. the plastic plant specimens for exhibits
- d. the herbarium specimens

2. A source of accession file should be established.

3. Copies of documents in the accession folders that are old thermofax or carbon copies, handwritten notes, etc. should have archival quality copies made. This can be done with archival quality paper on a dry tone copying machine.

## II. Catalog Records

### A. Cataloging Procedures

1. The Regional Curator examined draft catalog records made on the new form 10-254 that are ready for typing. His detailed comments are included in Appendix B. In general, the cataloging was well done.

The most important problem found was the typing of the object location and object status and year. This information should be entered only in

pencil. This change should be communicated to all typists working with the draft records.

Other problems, such as object names and descriptions, should be reviewed by a curator or archeologist for correction.

2. The catalog records completed by the Midwest Archeological Center in 1975 will need, eventually, reclassification under the new system. The new entries should be handwritten on the existing card until the record is re-typed or entered into the computer.

3. A supply of natural history 10-254 catalog cards and herbarium and entomology specimen labels should be requested from Curatorial Services for use cataloging natural history specimens. An archival quality Xerox copy of the herbarium index should be made.

4. An archeologist familiar with Woodland Indian material should advise the park on the priority that should be placed on adding to the registration data for the artifacts cataloged in this manner. Since most of this material has little provenience documentation, registration data might be enough information for the foreseeable future.

5. At this time the park can decide if it wishes to use a computer for cataloging. The size of the EFMO collection warrants eventual computerization of the records. It might be wise to begin computerization with the entry of the draft catalog records on hand. Utilizing the Automated National Catalog System software now would obviate the need to type such a large number of records onto catalog cards.



6. When a catalog record is no longer valid, a red diagonal line is drawn across the card. A written note should explain the invalidity of the record, for example, if the lot items were recataloged separately. These catalog cards are left in the binders to prevent re-use of the number or confusion over the catalog record.

7. Old NPS catalog numbers should be removed from objects when new numbers are assigned. Numbers inscribed by Orr should be left on the objects.

## **B. Completing the Catalog Records**

1. The following objects should be cataloged:

a. The approximately 1000 herbarium specimens. 200 of these are Orr specimens and the rest are NPS collected specimens. Every effort should be made to locate the key for the location designation for the Schabillion specimens. The park herbarium sheet labels can be used rather than be replaced if catalog numbers are added.

b. The park staff estimates that there are 1000 additional artifacts to be cataloged. Most of these should probably be documented with registration data in addition to an accurate identification with object name. The site of collection and cultural identity should be entered also.

c. Field records of archeological projects should be archivally cataloged. If the records on hand have not been accessioned, they should be accessioned as a group and lot cataloged as appropriate. It may be

possible to identify the proper accession of artifacts that the records relate to, and add the documents to that accession.

d. The 242 specimens in the Orr mineral collection, improperly lot cataloged as #1126, should be individually cataloged. This would be a good volunteer or student project.

e. The 44 Orr fossils currently on loan to a local college should be cataloged. Registration data only will suffice unless a student would like to prepare complete catalog records.

f. The Orr archives collection should be a high priority for cataloging. The books cataloged in the library system need no further records beyond a complete inventory.

An archivist should catalog the rest of the archives collection according to archival cataloging procedures. This should include the preparation of finding aids. This collection could be entered as one catalog record, an organic archival collection, unless an archivist identifies documents that should be individually cataloged. The bound, unpublished volumes of archeological data have already been cataloged as #s 139-141, 143-145. The intrinsic value of these documents probably warrants their individual cataloging.

2. If the plan to re-bury the human remains on hand is changed, this group of approximately 1000 artifacts should be cataloged.

3. The "old system" catalog records in a binder should be checked through to see that all objects were in fact recataloged. The new catalog numbers

should be written on the old system cards, and the binder labeled more completely.

4. The filing of the classification copies of the draft catalog cards, once the 10-254 is completed, will be a time consuming task. File drawers for cards which will fit in a records safe filing drawer should be used.

5. Catalog folders should be created for objects that have conservation treatment reports, or for which there is specific information. If an object is the only object in an accession, this information can be kept in the accession folder.

### III. Records Management and Accountability

A. The museum collection at Effigy Mounds should be photo-graphed to supplement catalog descriptions. Priority should be given to objects going into the new exhibits, and perhaps a contractor should be engaged to complete the photography project prior to exhibit installation.

B. A list of controlled museum property should be developed. This list should include all objects valued at over \$1000, objects on exhibit, and objects desirable to collectors or otherwise sensitive. The list at EFMO should also include exceptional examples of pottery and projectile points, all copper ornaments, irreplaceable records in the Orr archives, and other items of note in the collection.

C. All museum records, the accession book and folders, and the catalog records, should be kept in a one-hour rated records safe. The moisture problems in the document safe in use suggest that another records safe be

acquired for the museum records, and that cabinet be used for other purposes.

D. The Chief of I & RM should require that all persons working with the museum collection prepare narrative reports to describe the work they accomplish.

## Museum Storage

The storage of museum objects is recognized as the aspect of collection management most important for the long term preservation of museum objects. Storage techniques have become quite sophisticated in recent years as conservators and curators have worked together to improve collection storage and preventative maintenance of museum collections.

Standards for managing museum collections, as outlined in NPS-28, Cultural Resources Management Guidelines, and NPS Management Policies, require that every object in the museum collection be exhibited or stored under environmental conditions that minimize deterioration as much as possible. The damaging effects of light, dust, air pollution, temperature, relative humidity, and biological pests must be eliminated or minimized. All archeological collections should be maintained under minimum defined standards, with the recognition that some items may need higher levels of care. Automatic security and fire protection systems appropriate to the risks involved and to the nature of the objects in the collection should be installed.

### Current Status

The museum collection is stored in a new basement room of the visitor center which also serves as a library and general workroom for the interpretive staff. Standard specimen cabinets line one wall of the room and are positioned under an overhang. The concrete floor is covered with tiles and fluorescent light fixtures are incorporated into a drop-hung tile ceiling.

The usual entry into the room is through an interior office area although there is an exterior emergency door. A fire detection and halon suppression system reduce the possibility of fire damage.

Since the room was built in 198- environmental conditions have not been monitored although a dehumidifier is in use. In July the temperature in the storage room was 78 degrees F, and the relative humidity was about 60%. There have been problems with water leaking in the ceiling, and mice infestation in the large, walk-in closets.

Access to the storage room is not limited, and in the summer season employees have clothes lockers in the work area. The cabinets are kept locked, and the Chief of Interpretation & Resource Management controls key access.

Artifacts are stored in relatively new standard specimen cabinets in which older trays are used. The cases are crowded and improvement is needed in cleanliness and organization. Virtually the entire collection can be stored in the cabinets, except for a taxidermic mount, and a large pestle.

## Recommendations

### I. Collection Storage

#### A. The Storage Room

1. Special Directive 80-1 requires the division of curatorial storage and work space. The storage area at Effigy Mounds illustrates the need for this requirement. A great variety of activity, from the use of personal

lockers and storage of muddy boots, to the meeting of a group of people for interpretive training, takes place in the new museum storage area. These activities introduce a variety of elements into the storage room potentially harmful to the collection, either from a security or pest management aspect. An ideal museum storage area is virtually vault-like with tight control over the environment, entry, and use.

The large size of the room, and the row of pillars near the area the museum collection currently occupies, allow the room to be partitioned, yet still used for many activities. The proposed floor plan indicates how the placement of museum storage equipment, and library shelving units on the back side, can create a room divider incorporating the pillars. Access can be controlled through the south end next to the small office that should be converted to a curatorial office. This method of partitioning is proposed as the least expensive approach that will require also the least amount of alteration to the fire detection and halon systems.

The proposed floor plan shows a number of pieces of storage equipment needed at Effigy Mounds:

1. 4 standard specimen cabinets
2. 56 drawers/trays to replace damaged old drawers and for the new cabinets
3. 1 wet specimen cabinet
4. 1 entomology case
5. 1 herbarium cabinet
6. 2 map and plan file sections and a base unit
7. 1 small open shelving unit
8. 4 5-shelf locking bookcases

The bookcase units are needed for the Orr books which had been stored in the walk-in closets, but were removed after a mouse infestation, and placed in free-standing library cases. The additional cases are needed to eliminate overcrowding and double rows of books.

Curatorial equipment needed for the storage area includes a work table and desk. Two insulated filing cabinets are needed for museum records and documents, one letter size, one legal size. The old records safe should be used for other storage needs that are not affected by the high moisture conditions. A desk and wall-mounted bookcase or desk organizer are needed for the curatorial office. And a vacuum cleaner with a hose and brush attachments should be acquired for curatorial cleaning use only.

2. The museum storage area should be cleared of all non-curatorial material and supplies. The tops of the storage cabinets should not be considered general storage space.
3. Four inch enclosed pallets should be placed under each standard specimen cabinet. See Appendix C for design.
4. Due to the history of moisture problems, a water alarm should be installed where shown on the proposed floor plan.
5. The drainage hole for the dehumidifier should be better sealed.
6. A monitoring program for pests, as outlined in Integrated Pest Management guidelines, should be initiated in the storage area. Any problems detected should be discussed with the Regional Curator.



7. The herbarium cabinet needs a new door seal which is available from Curatorial Services.

## B. Object Specific Storage Techniques

1. Artifact storage needs a general reorganization and both the cabinets and storage containers need a thorough cleaning. Overcrowding of artifacts in storage containers is a common problem. All object storage containers should be clean of dust and debris, and should not be weakened or damaged. Chipboard trays need to be cleaned out, and the drawers should be dusted and wiped with a damp cloth.

2. Objects can be stored by accession if fragile objects do not end up on the same drawer as heavy stone tools. Segregation by types of material reduces the possibility of accidental damage, and usually is the most economical use of storage space. There should be drawers for pots, long bones that will not fit in chipboard trays, ethnographic objects, and large stone tools. The drawer weight limitation of 50 pounds should be observed for collections of heavy stone tools.

3. A variety of sizes of storage containers are needed. The following types of containers should be used as appropriate:

a. Chipboard trays should be used for medium to large size objects that are intact and require little or no padding. Pottery sherds, stone tools are good candidates for tray storage. Trays may be used also to store lots of material, but the size of the tray should be matched to the area needed for a single layer of artifacts. Several objects, such as projectile points or non-friable bone fragments, may be stored in a single

tray but only in a single layers. The 3 1/2 x 5" chipboard tray should be used for a single, or small group of objects.

The use of chipboard trays should be avoided for fragile objects, unnumbered lots, and objects with several small pieces.

b. Small plastic boxes should be considered for the storage of objects judged to be too fragile for storage in chipboard trays, objects in several pieces, and extremely small fragments and sherds. Small glass or plastic vials can also be used for similar types of objects.

c. Polyethelene zip-lock bags should be considered for the storage of bone fragments, groups of larger sherds, soil samples, lithic fragments, and other objects that are not particularly fragile. The bags can be used to contain lots of material or individual objects.

Clear plastic bags are preferable to paper bags traditionally used for archeological storage since the contents can be viewed without emptying the bag, and handling is minimized. Material in paper bags can be transferred, along with any information written on the bag, to a plastic bag. Later the information on the paper bag can be transferred to the catalog card and written directly on the plastic bag; bags are available with frosted label areas for this purpose.

Various sizes of bags will be useful. A series of small bags with similar sized objects can be filed vertically in a box to maintain organization. In no instance should bags be stacked on the drawers or in chipboard trays.

d. Open drawer storage should be used for large stone tools, and geological specimens. Polyethelene drawer pads should be used to line the drawers and keep objects from sliding in the drawers as they are moved in and out.

e. Cut foam drawer storage should be used for fragile objects that are too large, or that do not conform to chipboard tray sizes. A slab of polyethelene foam, known commercially as "Ethefoam" of 1/2-1" thickness should have individual cut-outs for objects such as long bones, large curved pieces of pottery, and many of the ethnological objects such as the pipes and arrows. See Appendix C for directions.

4. Although projectile points may not appear fragile, the flaked edges are subject to further chipping if they are roughly handled. The use of many small chipboard trays for the storage of small to medium size points is preferable to a few large trays.

5. All rubber bands and Orr labels should be removed from the Orr mineral specimens. The 1 1/4 x 3" labels should be placed in mylar envelopes or photograph storage sheets in the accession folder.

6. All extraneous packing material and cotton padding should be removed from storage containers. This material is often acidic and/or hygroscopic.

7. Reconstructed pottery vessels need support for storage. Shaped layers of Ethefoam can be stacked to support the curved area. The arrangement should be placed in an acid-free box to minimize handling.

8. Archival storage techniques rely on the use of acid-free storage containers, and the proper support of papers and books.

a. Acid-free folders should be used for the storage of the unpublished Orr material, correspondence and loose papers, etc. All paper clips, metal binders, and staples should be removed from the original papers for storage.

b. The field notebooks and other small pamphlet-size items should be stored in acid-free fold-over folders and small document storage boxes.

c. The bound volumes should be stored spine down rather than up to preserve the bindings. Labels can be placed on interleaved acid-free file folders.

d. Acid-free tissue paper cut to page size should be interleaved in the acidic scrapbook pages. Buffered tissue should be used when no photographs are present.

e. Postcards should be stored in acid-free post-card album pages.

Any original, one-of-a-kind documents in the Orr collection should be copied by archival quality Xeroxing.

See Appendix C for archival storage container information.

9. Silver nitrate film is currently stored in the freezer as per the current recommendations for storing this volatile material.

10. A 2-3" strip of a Vapona or "Shell No-Pest" strip should be placed in a paper envelope or muslin bag in the bobcat taxidermic mount storage box.

11. Additional botany folders are needed for storing the herbarium specimens. Only 3-4 specimens should be placed in a folder. Each Orr specimen should be in an individual folder to provide extra protection for the nearly 90-year old specimens. The few loose Orr specimens should be mounted.

12. The pair of moccasins should be gently stuffed with acid-free tissue paper to keep an uncreased, natural shape and placed in an acid-free storage box.

See Appendix C for a supply list and information on collection storage equipment.

## II. Conservation Needs

A. Two iron objects, #1117, an oxen shoe, and #1118, an ax head, have potentially active rust and should be closely monitored.

B. All of the excavated copper artifacts appear to show evidence of incipient bronze disease and should be monitored by a conservator. Dan Riss, the excavated materials conservator at Harpers Ferry Center, should be consulted.

C. Several books in the Orr library need conservation attention. Recommendations for the acquisition of expensive conservation treatment and/or book boxes should be based on an evaluation of the significance and

rarity of the library collection. The park has little idea of the value and availability of the volumes in other libraries or on microfilm. See the Socio-Cultural Resources Inventory project in the Resources Management Planning section of this document.

Once the park information on the value of the collection, a book or paper conservator can make recommendations for conservation treatment and the use of book boxes.

### **III. Storage Security**

## **Museum Exhibits**

One of the important uses of museum objects is in interpretive exhibits. However, the conditions in museum exhibits must minimize deterioration caused by light, dust, air pollution, temperature, relative humidity, and biological attack. Care must be taken to insure that conditions in museum exhibits conserve objects and meet the goals of exhibit designers and interpreters.

### **Current Status**

During the fall of 1987 new exhibits will be installed in the visitor center. The new exhibits will use mainly taxidermic mounts in a series of exhibits on the changing seasons and prehistoric life. A large collection of archeological artifacts will be featured in a central exhibit where the archeological record is showcased.

### **Recommendations**

#### **I. Exhibit Monitoring**

A. There is concern over the stability of archeological artifacts mounted at the end of brass wires, and the placement of pottery bowls on pedestals. The exhibit installation should be monitored carefully to detect any object vibration and movement which need correction.

B. The sealing of all cases joints and openings against the entry of dust should be executed carefully. Solid diffusers should be used to separate the light box area from the case interior, and thus limit entry of dust and

insects into the case interior. Areas that appear dusty more frequently than others should be checked for improper sealing. Corrective action should be taken to eliminate what would only continue to be a curatorial maintenance problem.

C. The light levels should be measured upon installation of the exhibit. Adjustment of bulb wattage may be required to keep levels in safe ranges.

D. Small dial psychrometers should be placed in several of the cases, including the case with the copper beads and taxidermic mounts. Daily readings should be taken at different times of the day to record the range of conditions within the exhibit cases. A reading at opening time will record night-time conditions, and another around 3:30 pm should document the daily maximum in temperature.

A recording hygrothermograph should be placed in the large rear case, if it can be accessible for servicing, or in the exhibit room. The monitoring of exhibit room conditions should be considered a standard curatorial requirement.

E. Only experience will reveal the frequency of exhibit maintenance that will be required. Case cleaning can be greatly reduced in frequency with proper sealing of the cases.

F. The copper artifacts and beads on exhibit present the major conservation challenge. Both the environmental conditions in the exhibit case and the objects themselves should be carefully monitored.



G. Freeze dried specimens should be monitored for accelerated chemical deterioration and fading of fur and feathers. These specimens should be protected from excessive heat the high temperatures.

## II. Exhibit Security

## Museum Staffing

The Federal Position classification standards identify two occupation series for those charged with the performance of professional and technical duties related to the operation of federal museums. The Museum Curator series (GS-1015) is the professional series for positions, the primary duties of which are to administer, supervise, and perform professional work related to research, collections management, exhibits, and education in museums. The Museum Specialist and Technician Series (GS-1016) is the series of positions, the duties of which include technical and specialized aspects of collection management. Most career employees in both series choose a subject matter specialization that can range from one of the traditional museum functions, such as collection management or exhibits, to a subject matter, such as art or anthropology.

In many small parks, collection management duties are assumed by park rangers with primary duties as interpreters or resource managers. When curatorial duties are collateral, they must appear in the position description and performance standards of the employee and supervisor.

### Current Status

Curatorial duties at Effigy Mounds are the responsibility of the Chief of Interpretation and Resource Management. The park ranger position description includes the following major duty:

Provides security and applies preservation methods to archeological artifact collections, original MSS, field notes, letters, etc.;

prepares accession records and museum catalog records, site records, etc.; provides liaison with State Archeologist's Office and Midwest Archeological Center in coordinating archeological activities and records between various agencies.

The position requires a "basic knowledge of museum practices and procedures to maintain museum records, catalogs, and archeological site records; and to maintain artifact collections and original sources in a suitable environment."

The performance standards for the position do not mention the museum collection specifically, and there are no yearly goals in the curatorial area.

Curatorial work has been accomplished most recently by a seasonal employee. Regional 302 money funded a cataloging project accomplished by Robert Petersen in 1984-86.

## **Recommendations**

### **I. The Park Ranger/Chief of I and RM**

A. It appears that in the immediate future, curatorial work must remain the responsibility of the Chief of I & RM. Parks with small museum collection, or small staffs to care for a collection, find that it takes a minimum of .10 FTE to accomplish the most essential curatorial duties, and that .15-.2 FTE allows for a more satisfactory level of basic care.

At a minimum, the park ranger at Effigy Mounds should be expected to monitor environmental conditions in the storage and exhibit areas, complete yearly inventory procedures, accession new acquisitions promptly and completely, and monitor the condition of sensitive artifacts.

As seasonal employees are available, or funds are available for contracting, the museum records should be completed, and the storage situation improved. Accession records need improvement, and the collection should be photographed.

B. Curatorial responsibilities probably warrant mention in the performance standards for the Chief of I & RM position. At a minimum, the yearly goals should include the monitoring of environmental conditions in the exhibit and storage rooms, and a specific project, such as the improvement of the accession records.

Many parks use two elements for collection management: one for the physical care of the collection, and a second for records management and accountability. See the generic curatorial performance standards in Appendix E. The several projects and improvements suggested in this plan can be used as yearly goals.

## II. A Park Archeologist

There seems to be a need for an archeologist to direct collection management work at Effigy Mounds NM, as well as provide professional expertise in the management and interpretation of the prehistoric site.

The interest expressed in converting the Chief of Interpretation and Resource Management position back to a Park Archeologist should be seriously considered. With the small size of the EFMO staff, just changing the name of the position will not facilitate the accomplish a significant increase in curatorial work, however. A significant amount of non-cultural resources management duties presently associated with the position will have to be reassigned to other positions to allow the incumbent time for collection management duties. Additional FTE hours will be needed, for strictly interpretive, law enforcement, cooperating association management and special program, energy and safety duties.

An archeologist on the staff should provide continuity in collection management, and have the background of knowledge to make informed decisions concerning artifact cataloging and proper artifact storage.

An archeologist at Effigy Mounds should have experience in, and aptitude for collection management. Many archeologists are interested in field work and interpretation of data, rather than collection management. The KSA's for the position should include experience in artifact cataloging, and knowledge of storage techniques and conservation requirements for a variety of artifact types. Other selective factors should deal with archeological excavation and documentation techniques, knowledge of the Woodland Indian culture, and archeological site management.

The position description for a GS-1015-11 Museum Curator position description drafted for Mesa Verde NP in Appendix E includes many duty statements that will be applicable to Effigy Mounds as well.

### III. Contracted Expertise

The completion of catalog records will require the expertise of several specialists. Personal services contracts with an archeologist, a geologist, and an archivist will be the easiest way to produce high-quality catalog records for groups of objects. Careful contract wording and supervision are needed to get the results sought.

Contracts for cataloging usually specify the production of a specific number of draft catalog worksheets or typed catalog cards, in addition to numbered objects. Now that the Automated National Catalog System software is available for use, contracting for worksheets rather than completed cards is probably better. The contract with the Highland Research Center for cataloging artifacts should be pursued, and could include the task of evaluating the records with registration data only to suggest the urgency of completing the remaining fields of entry.

### IV. Additional Sources

A. A limited appointment of a GS-7 or 9 Curator of Archeology for one to two years is an alternative. The incumbent could implement much of the Collection Management Plan himself, and arrange for specialists and volunteers to assist. 10-238 packages for collection storage improvements and records completion should be tied together and funded at the same time.

This "put out the fire" approach could improve conditions to an extent that a park ranger or resource manager could keep the collection in good condition. The drawback to this approach is the short association of the

curator with the collection, and lack of opportunity for continuity in collection care.

B. The excellent work accomplished by Bob Petersen attests to the contributions that can be made by seasonal employees. However, rather than wait until a seasonal employee comes along with curatorial aptitude, one seasonal position could be converted to a seasonal curator position. Recruitment of an applicant with curatorial experience and who would be available over a period of time, could provide for both high quality work and continuity in curatorial work. The seasonal curator could work in the winter months, and be available to occasionally man the information desk and provide other essential services during the lean, off-season period.

C. Volunteers are also a likely source of curatorial staffing. It might be possible to find a retired geologist to catalog the Orr mineral collection and a biology student or teacher to catalog the herbarium. An archivist from the Iowa State Historical Society or State Archeologist's library might be willing to catalog and produce finding aids for the Orr archival collections in exchange for an inventory listing.

## Collection Management Planning

The National Park Service requires a series of planning documents for each park that guides the development and operation of each area. Collection management functions must be integrated into each level of planning to establish this activity as a legitimate and recognized park function. Only when the planning process includes collection management requirements, and parks effectively implement approved plans, can the museum collections be assured of proper documentation and interpretation.

The park Statement for Management, Outline of Planning Requirements, and General Management Plan should all address collection management concerns in a general way, based on the mandate of the park's enabling legislation and the general legislative authority to collect and preserve objects. More specific collection management strategies should be found in the park Resources Management Plan, Collection Management Plan, and Scope of Collection Statement.

Most importantly, the planning process generates the programming and budgeting documents, Forms 10-237 and 10-238, that are necessary to accomplish collection management goals. Since FY 1985 the funding of projects by the Cultural Resource Preservation Funds has required that projects be listed in approved park Resources Management Plans.

### **I. Statement for Management**

The Statement for Management is a broad description of the park's condition and an analysis of its problems. The Statement is the basis for all action



which will directly or indirectly affect cultural resources, including the museum collection. The Statement for Management should give a general description of the purpose and objective of the park collections.

Particular issues and deficiencies, such as Native American concerns or uncataloged objects, should be noted. The need for specific projects and planning documents can also be indicated.

### **Current Status and Recommendations**

The Draft Effigy Mounds NM Statement for Management mentions the museum collection in the outline of resources, and includes the scholarly value and need for adequate protection for the Ellison Orr Archeological and Geological Collection as a major issue. The maintenance of the Orr collection in a manner conducive to appropriate scholarly research and use is included as an Interpretation, Visitor Use, and Visitor Orientation management objective.

A good description of the museum collection is needed for the Outline of Park Resources section of the document. The current statement mentions only the Orr collection, and provides no hint of the extent and contents of the museum collection. The collection description recommended in the Scope of Collection Statement section of this plan could be used in the Statement for Management also.

Since the establishment of the monument was based on the scientific importance of the mounds, the research, scholarly, and scientific aspects of the museum collection should be acknowledged in this important planning document. The museum collection is not merely an interpretive tool. It includes, and will eventually include much more, scientific data concerning

the mounds, prehistoric life in northeastern Iowa, and the archeological field work done in the monument.

Proposed curatorial "major issue" statement:

The museum collection includes the Ellison Orr collection of artifacts and related material of interest to scholars. Additional artifacts produced in NPS archeological projects have direct association with the site and are part of the scientific record. The park must provide adequate storage facilities, catalog and accountability records, conservation treatment, and preservation of the archeological record of the mounds.

The Effigy Mounds museum collection, with considerable scholarly value, should be considered a cultural resource rather than an interpretive tool. The collection has greatly facilitated the interpretation of the monument to visitors, but more importantly in the long term, preserves the archeological record of the site.

Proposed curatorial "management objective" statement:

To preserve and protect the museum collection associated with the burial mounds and natural history of the monument.

To maintain the Ellison Orr collection of archeological, geological, and archival material as an important organic collection for scholarly use.

To preserve the archeological record of the monument through the collection of all archeological artifacts and field generated data and records pertaining to the monument.

To complete the museum records system, and improve collection storage conditions.

The Collection Management Plan should be added to the Status of Planning list on page 28.

## **II. The Outline of Park Requirements**

The Outline of Planning Requirements lists in priority order, for a five-year period, the plans and projects identified in the Statement for Management. This document should guarantee that projects are accomplished in a logical sequence and should be supported with the submission of programming documents. Collection management projects must be stated, the urgency must be accurately assessed, and the policy requirements and legislative mandates pertaining to collection management must be included.

### **Current Status and Recommendations**

The Effigy Mounds NM Outline of Park Requirements includes the following projects with collection management content (See Appendix F for project statements):

Park	Package	
Priority	Number	Title
1	801	Archeological Sites Survey
14	804	Provide Socio-Cultural Resources Inventory
17	509	Insect Survey

Package 801, Archeological Sites Survey. This project will produce additions to the museum collection. All original field generated records, maps, magnetometer surveys, field notes, etc. should be cataloged archeological records.

Package 804, Socio-Cultural Resources Inventory. As detailed in the following section, the direction of this project should be tailored to study/inventory the Orr archival and library collections.

Package 509, Insect Survey. All insects collected during the survey should become cataloged museum specimens. The description of this project and man-hour and supply estimates should reflect this cataloging requirement.

### III. The Resources Management Plan

Resources Management Plans identify and rank, according to priority, important natural and cultural resources management problems. The Plan states the problems, identifies alternative solutions and probable impacts and recommends a course of action. The Resources Management Plan restates and further develops problems identified in the Statement for Management, Outline of Park Requirements, and General Management Plan. All important

collection management problems must identified in the Resources Management Plan.

## **Current Status and Recommendations**

### **I. Knowledge of Cultural Resources**

The description of the museum collection in this section needs improvement. The estimate of objects in the collection, only 2500, is quite in error. Again, the collection description recommended for the Scope of Collection Statement could be used in this document also.

Major curatorial issues that could be mentioned include the need to finish cataloging the collection, improving the quality of storage, and partitioning the collection storage area from the rest of the large room.

### **II. Project Statements**

#### **A. EFMO-C2-Maintenance of Museum Collection**

This project is outdated and should be revised to reflect current conditions and concerns. The statement as written addresses both cataloging deficiencies and the need to enclose the visitor center basement for a storage room.

Many parks find it easier to have two curatorial project statements, one for collection accountability and museum records, and another for the physical care of the collection. Since there is considerable work to be accomplished in both areas at Effigy Mounds NM, this approach is

#### IV. The Collection Management Plan

The Collection Management Plan, previously called the Collection Preservation Guide, is an action plan designed to ensure the orderly, timely, and proper care of a park's museum collection. Although intended to address specific problems the Plan should also be considered a long-term planning document. A good Collection Management Plan quickly becomes obsolete and will require revision through the years as recommendations are implemented.

#### V. Other Planning Documents

All park planning documents should not any special requirements of the museum collection.

##### 1. The Integrated Pest Management Plan.

The preparation of this plan should be initiated due to the history of pest problems in the visitor center basement storage area. The plan should pay particular interest to the museum storage and exhibit areas.

##### 2. The Emergency Operations Plan.

This plan should recognize the special vulnerability and needs of the museum collection. When this plan is prepared, the Regional Curator should assist in the formulation of strategies to protect exhibit and storage areas.

## Sources of Funding

Funding for curatorial work should come from a variety of sources. Parks with large collections should have a curatorial program with an adequate operating base of ONPS funds to ensure the minimally accepted level of operation. Cultural Resource Preservation Funds and other program funds, such as the discontinued PRIP, should fund projects necessary to bring the collections up to standard and to solve special problems as they arise. Cyclic maintenance money may be used for repetitive preservation and maintenance programs. Exhibit rehabilitation projects are funded by the Harpers Ferry Center Exhibit Rehabilitation program.

### Current Status

Recent curatorial projects, the enclosure of the basement storage room and cataloging project, were funded by Regional 302 money.

### Recommendations

1. Most small parks find that a yearly base of at least \$750 is needed for curatorial expenses. The park can set up a separate curatorial account, or earmark a similar amount of the interpretation or cultural resource management budget for this purpose. This amount should cover equipment and supply needs, or even small contracts for specialized work.
2. The proposed 10-238 packages should be prioritized and integrated into the EFMO Outline of Park Requirements.

Recommended Prioritization:

1. Collection Storage Improvement
2. Museum Records Completion
3. Socio-Cultural Resources Inventory

The storage and records projects should be tied together for concurrent funding and assignment of FTE to accomplish the work.



## Appendixes

### Appendix A. Scope of Collection Statement

1. 1985 EFMO Scope of Collection Statement
2. "Guidance on Writing a Scope of Collection Statement"
3. MEVE use policy
4. Copyright information

### Appendix B. Museum Records

1. Page from EFMO Accession book
2. Samples of catalog records (EFMO - please provide 2 samples, one of the Arch center cataloging, and a draft Petersen record with registration data only)
3. Regional Curator's Comments on Recently Prepared Forms 10-254

### Appendix C. Museum Storage

1. Proposed floor plan
2. Pallet design
3. Cut foam storage instructions
4. Archival storage supplies information
5. Supply list

### Appendix D. Museum Exhibits

Any correspondence on the new exhibits or other information you can think of?

### Appendix E. Curatorial Staffing

1. EFMO park ranger/chief I & RM position description
2. EFMO park ranger/chief I & RM performance standards
3. Generic curatorial performance standards
4. MEVE archeologist position description

### Appendix F. Collection Management Planning

1. 10-238 packages 801, 804, 509

Captions for photographs:

1. The museum storage area of the new basement room occupies one wall.
2. The basement room is used for a variety of activities.
3. The museum storage cabinets fit under an overhang with room to spare, and are used as a storage shelf.
4. A storage drawer of artifacts is organized, although many chipboard trays are too crowded.
5. Ceramic pots and stone tools occupy the same storage drawer.
6. A storage drawer of stone tools and ax head illustrates the crowded conditions.

Effigy Mounds National Monument

Storage Room Equipment List

<u>Quantity</u>	<u>Item</u>
4	Single-width specimen cabinets (match existing)
56	Trays for single-width specimen cabinets
4	36" x 12" 5-shelf locking bookcases
1	30" x 60" work table with 2 drawers on one side
1	herbarium cabinet
1	entomology cabinet
1	36" x 12" (or 36 x 18") cabinet for wet specimens
2	5 drawer map & plan file sections (54" x 42")
1	map & plan file base unit (54"x 42")
1	4 drawer legal size insulated file cabinet with lock
1	4 drawer letter size insulated file cabinet with lock
1	desk
1	wall mount bookcase or desk organizer

materials for pallets  
materials for shelves

3 zone water alarm system:  
zone 1 - behind cases & office  
zone 2 - closets  
zone 3 - ceiling

MIDWEST REGION  
**EFFIGY MOUNDS NATIONAL MONUMENT**  
Harpers Ferry, Iowa

**MUSEUM COLLECTION MANAGEMENT PLAN**

1997

**EFFIGY MOUNDS NATIONAL MONUMENT**  
National Park Service

**MUSEUM COLLECTION MANAGEMENT PLAN**  
1997

**Approval Page**

Recommended By:

*Carolee Wallingford*  
Midwest Region, Great Plains System Office Curator  
Date: 6-26-1997

Approved By:

*[Signature]*  
Midwest Region, Superintendent, Effigy Mounds National Monument  
Date: 7/21/97

Funding provided by the Museum Collections Preservation and Protection Program  
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**EFFIGY MOUNDS NATIONAL MONUMENT  
COLLECTION MANAGEMENT PLAN**

**Contract Number 1443PX605096122**

**MAY 1997**

**Prepared by:**

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**EFFIGY MOUNDS NATIONAL MONUMENT  
COLLECTION MANAGEMENT PLAN**

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## PREFACE

A Collection Management Plan (CMP), as stated in NPS-28 (Release No. 4, July 1994), "provides short-term and long-term guidance to park and center staffs in the management of museum objects and archival and manuscript collections." Site-specific, a CMP should document the conditions of the park's collection at a specific point in time and provide guidelines and recommendations for the park in planning and developing improvements in collections storage and exhibition, museum record keeping, collections security, accountability, and housekeeping.

The intent of a Collection Management Plan is to document the park's needs and to provide recommendations to reduce equipment, staffing, and administrative deficiencies. For example, a park may need to purchase a digital alarm receiver to monitor the alarms at an off-site storage location or need to prepare written opening and closing procedures for museum spaces. Equipment needs or the need to prepare and approve a policy for managing museum collections are identified as deficiencies in the NPS Checklist for Preservation and Protection of Museum Collections as referenced in the NPS Museum Handbook, Part I, Appendix O. Typically, the recommendation sections of the Collection Management Plan will serve as a checklist for curatorial accomplishments and a guide for developing a work plan.

This CMP was written by Brian Ramer, Conservation Consultant of Aiken & Ramer, Baltimore, MD, on contract to the National Park Service, Midwest Field Area Office. It documents the actual conditions found by Mr. Ramer during a site visit to Effigy Mounds National Monument (EFMO), from November 20-22 1996. The Great Lakes Support Office Curator Abby Sue Fisher was present for the site visit. Due to a scheduling conflict, Great Plains Support Office Curator and Contracting Officer's Representative Carolyn Wallingford was unable to participate in the site visit and evaluation of the park's museum management program. Staff members of Effigy Mounds National Monument who participated in the evaluation include Superintendent Karen Gustin, Chief of Interpretation, Visitor Services, and Protection Mardi Butt-Arce, and Resource Management Specialist Rodney Rovang. This project was funded as a result of the park's 1992 Museum Collection Preservation and Protection Checklist self-assessment submission.

The Collection Management Plan team also wishes to thank Park Ranger (Law Enforcement) Chris Harman for conveying his concerns about the management and care of the collection after the site visit. Due to a scheduling conflict he was not able to be at the park for the site evaluation.

This Collection Management Plan describes the status of collection management at the time of the site visit, identifies deficiencies, and recommends specific actions to correct those deficiencies. The plan is tailored to park resources and needs. As changes take place in the park's collection management program, park staff will need to work with the Support Office Curator to update the plan as needed. Since the site visit, some of the recommendations for improvements in collections management procedures and operations have been made.

NPS Management Policies, NPS-28 Cultural Resources Management Guidelines (Revised, No. 4, 1994), NPS Museum Handbooks, Parts I and II, NPS-6 Interpretation and Visitor Services Guidelines, NPS-9 Law Enforcement Guidelines, Special Directive 80-1 (Revised 1990), the current NPS Conserve O Gram Series, as well as literature in the museum profession provide the standards by which the park's collection management program is evaluated. The plan provides an analysis of preservation, planning, accountability, and security of the collections.

## I. HISTORY OF PARK AND MUSEUM COLLECTION

Effigy Mounds National Monument (EFMO) is located in northeastern Iowa, adjacent to the Mississippi River. The park, which contains wooded bluffs and the Mississippi River floodplain, lies in a geologically unique area of erosional topography drained by a complex system of streams and rivers. Effigy Mounds National Monument itself is divided into three units totaling 1,481 acres. Its sole visitor center is situated on State Highway 76, three miles north of Marquette, Iowa. The museum collection is exhibited and stored in the visitor center, which also serves as park headquarters.

Effigy Mounds National Monument was established by Presidential Proclamation 2860, dated October 25, 1949, which states:

“ ... the Effigy Mounds are of great scientific interest because of the variety of their forms, which include animal effigy, bird effigy, conical, and linear types, illustrative of a significant phase of the mound building culture of the prehistoric American Indians....”

The Presidential Proclamation provided for the donation of 1,204 acres by the State of Iowa. This acreage was increased by Public Law 87-44, Act of May 27, 1961 (75 Stat. 888), which provided for the purchase or donation of approximately 272 acres.

The principal purpose of the park is the preservation of 196 prehistoric Indian mounds located within its boundary. These mounds are a small fraction of the thousands of mounds built by the prehistoric mound building cultures of the upper midwest for nearly 2,000 years. The oldest mounds date to approximately 500 B.C.; the most recent date to about 1300 A.D. Through the millennia the mounds survived with little change from the forces of nature or aboriginal activities. However, with the advent of European settlement, the mounds have suffered from agricultural practices, logging, road building, and pot hunting. The mounds within the park boundary are in various states of preservation, depending on the particular history of interventions. The Statement for Management (1991) lists the following management objectives related to cultural resource preservation:

- a) To preserve and protect the integrity of prehistoric American Indian burial mounds.
- b) To restore mounds to their original profile where found necessary, based on research.
- c) To eliminate destructive tree growth and animal burrowing into the mounds.

Various legislative and administrative requirements influence the general operation of the park, as do resource and visitor use needs, and the current and planned use of park lands. Effigy Mounds National Monument has been mandated the responsibility of preserving both natural and historic objects under the Antiquities Act of 1906 (16 USC 431-433), the Organic Act of 1916 (16 USC 1 et. Seq.), the Historic Sites Act of 1935 (16 USC 461-467), and the Museum Act of 1955 (16 USC 18f) to facilitate the management of museum properties. Furthermore, more recent legislation has been enacted to protect endangered species and cultural resources, including the Endangered Species Act of 1973, as amended (16 USC 1531-1543), the Archeological and Historic Preservation Act of 1974 (16 USC 469-469c), the Archeological Resources Protection Act of 1979 (16 USC 470aa-mm), the American Indian Religious Freedom Act of 1978 (42 USC 1996), and the Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001-13), commonly referred to as NAGPRA.

The park's Interpretive Prospectus (1986), Statement for Management (1991), Statement for Interpretation (1993), and Resource Management Plan (1994) give the staff basic guidance on the

themes to be reflected in the museum collection. The purpose of the collection is to document and support the park's primary interpretive themes and to help with its research and resource management programs. The chapter of this Collection Management Plan (CMP) entitled "Scope of Collection" evaluates the effectiveness of the collection in contributing to the park's interpretive and research programs and the appropriateness of the Scope of Collection Statement (1993).

## MUSEUM COLLECTION

The museum collection currently consists of approximately 15,000 objects relating to the prehistoric and historic occupation aspects of the site. Disciplines represented include archeology, biology, paleontology, geology, archives, and history. Archeological material comprises the bulk of the collection, and will continue to do so in the future. The main emphasis is the Woodland Period represented in the Upper Mississippi River valley between 1000 B.C. and 1500 A.D. It should be noted, however, that this material does not principally consist of the excavated contents of the numerous mounds at EFMO. Most of the prehistoric artifacts associated with the site remain *in situ*, unexcavated within the mounds.

The Ellison Orr Collection (accession numbers 2 and 17) including artifacts, a research library, manuscripts and personal papers, mineral and fossil specimens, and a herbarium – constitutes the majority of the park's museum collection. Orr served as an archeologist for the State of Iowa during the first half of the century. A large portion of his accumulated work was accessioned into the museum collection in 1950. The life and work of Ellison Orr serves as a minor interpretive theme of the park. Orr's collection of archeological material consists of several thousand individual items. Of these, approximately 55% are mineral (sherds, points, etc.), and 40% are animal (shell, bone, antler).

Additional artifacts have been accessioned into the collection as a result of authorized NPS archeological projects. Moreover, other artifacts which have been collected by state and private agencies and several individuals have been accessioned, along with material collected on the surface of two Woodland village sites immediately adjacent to the park's boundaries.

## II. SCOPE OF COLLECTION

The National Park Service acquires, preserves, and uses cultural and natural resource collections for public education to broaden park visitors' understanding and knowledge in the humanities and sciences. Museum objects are primary sources of cultural and scientific information that document and support a park's resource management and interpretive programs.

NPS Management Policies states that parks are allowed and encouraged to acquire objects for museum collections, following established procedures, when the objects are clearly significant and useful to the parks. NPS Management Policies, Chapter 5, page 10, state: "Objects and related documentation essential to achieving the purposes and objectives of the parks will be acquired and maintained in accordance with approved scope of collection statements for each park." A Scope of Collection Statement, in which the limits of the museum collection are detailed must be prepared and approved for every park. Regarding the acquisition of objects, the Scope of Collection Statement (SOCS), a key curatorial document, promotes wise and well-planned decision making.

The Scope of Collection Statement is prepared as a stand-alone document. It guides a park in the acquisition of those museum objects that contribute directly to the understanding and interpretation of the park's themes, as well as those additional objects that the National Park Service is legally mandated to preserve. This document evolves from legislation and planning documents specific to each park. The Scope of Collection Statement: defines the purpose of a museum collection; sets agreed upon limits that specify the subject matter, geographical location, and time period to which the collection must relate; and briefly outlines policy and procedures for the acquisition and use of the collections. This document is reviewed in consultation with System Support Office technical specialists on an "as needed" basis and approved by the park Superintendent. The National Leadership Council has determined that the SOCS no longer requires Regional review and approval on a biennial basis.

In the case of the most recent Scope of Collection Statement for Effigy Mounds National Monument, approved at the Regional level in 1993, there are a few minor omissions from the standard NPS requirements. These requirements are listed in "NPS Checklist for Evaluating a Scope of Collection Statement," which can be found in NPS Museum Handbook, Part I, E:21-24. Recommendations throughout this chapter are based on the checklist, which is included in this Collection Management Plan as Appendix A. Suggestions for revising and/or deleting portions of the Scope of Collection Statement in order to better address site-specific issues at the park also are included in this chapter.

### TITLE PAGE AND INTRODUCTION OF SOCS

As there is no need to have two Title Pages, the second one should be removed. An example of the correct format of the Title Page appears in Museum Handbook, Part I, 2:6. Due to the length of the document, it is advisable to retain the Table of Contents.

A few of the sections in the Introduction do not strictly conform to the requirements of the SOCS Checklist. Suggested wording for the citation of the NPS legal mandate (5 basic laws) to acquire and preserve museum objects is given in Museum Handbook, Part I, 2:6. The park's enabling legislation is cited, but not subsequent legislation, that is, Public Law 87-44, Act of May 27, 1961. The Introduction provides a general description of the park's interpretive themes and resource management goals and objectives. When next compiled, the document should indicate the park's interpretive periods as well as its interpretive themes. In addition, the document should indicate the date of the park's most recent planning documents, such as the Resource Management Plan.

Information about mandated systematic collections is not fully provided in the current SOCS. Museum Handbook, Part I, 2:8 gives suggested wording regarding citations relevant to the management of archeological collections; the curatorial requirements for natural history specimens collected by approved permits; and other laws, regulations, conventions, and special directives pertinent to the acquisition of museum objects. Furthermore, the document should indicate that the park is listed on the National Register of Historic Places.

#### **TYPES OF COLLECTIONS: NATURAL HISTORY COLLECTIONS CATEGORY**

The section on natural history specimen collections is largely complete. For the collecting category of flora, within the discipline of biology, a more comprehensive and detailed discussion of the following topics would be useful: current representation of object types, identification of collecting priorities to fill gaps in the existing collection, and definition of limits (quantities).

The paleontology discipline does not include a statement relevant to "uncontrolled surface" collecting. Such a statement should be included in the document to comply with the NPS Checklist for Evaluating a Scope of Collection Statement.

#### **TYPES OF COLLECTIONS: CULTURAL COLLECTIONS CATEGORY**

As with Natural History, the section on Cultural Collections is largely complete. To comply with the NPS Checklist, however, the introductory paragraph should include the statement that "an object from the site or directly associated to person(s) or event(s) commemorated by the park is more desirable than a similar object without such primary association." Also, for the disciplines of ethnology and history, a more complete discussion of the following topics should be included in the document: identification of collecting priorities to fill gaps in the existing collection, and definition of limits (quantities) for each collecting category.

The subsection dealing with the summary listing of NAGPRA-related objects appears satisfactory. However, because the park's collection of Native American material was reviewed in the early 1990s by a member of staff who has no formal training in ethnology, advice should be sought from Mike Evans, Ethnographer-Cultural Anthropologist, regarding the completeness and accuracy of the summary listing. Specifically, one should determine whether any objects in the collection may have been inadvertently excluded from the list, and whether all objects currently listed in the summary conform with their respective definition, that is, unassociated funerary object, sacred object, or object of cultural patrimony. Also, depending on the outcome of consultations with representatives of American Indian tribal governments, this subsection of the SOCS may need to be updated or revised.

#### **ACQUISITION SECTION**

The various components of this section meet the requirements outlined in the NPS Checklist. In the next Scope of Collection Statement, it would be useful to indicate the percentage of accessions which remain to be cataloged, and the percentage of museum records which have been computerized.

#### **USES OF COLLECTIONS SECTION**

The section on the uses of the museum collection complies with the NPS Checklist.

## RESTRICTIONS SECTION

Based on the NPS Checklist, the Restrictions section satisfactorily identifies any restrictions on the disposition or uses of the museum collection. Nevertheless, it would be worth reviewing the Accession File in the foreseeable future to determine if there are any site-specific restrictions on the collection. This can be done when a comprehensive review and reconciliation of the museum records is undertaken. (See Chapter III, Museum Records.)

## MANAGEMENT ACTIONS SECTION

The existence of or need for a Collection Management Plan is not included in the section on Management Actions, although mention of the plan appears elsewhere. When next compiled, the section should be revised to include the Plan and date. This section also should include a brief description of all collections outside the park's boundaries, including name and location of each repository, and number and type of objects based upon the most current Collection Management Report (CMR).

The remainder of the section fulfills the requirements outlined in the checklist.

\* \* \*

## ACQUISITION AND DISPOSAL

The Scope of Collection Statement identifies gaps in both cultural and natural history collections. As recommended above, the document should provide a more detailed identification of collecting priorities, especially for the disciplines of biology, history, and ethnology, so as to effectively fill gaps in the existing collections. These disciplines should be ranked in order to identify the discipline(s) for which there is a greater collecting priority. However, before any items are accessioned into the collection, park management should consider whether there are sufficient resources for the intellectual control and ongoing maintenance of these objects.

During the site visit a number of unaccessioned items were identified as being potential candidates for addition to the museum collection. These items are itemized below (1). There may be other material which park management may wish to add to this list, having checked both the file cabinets and object storage cabinets in the basement.

- a) A Winnebago basket.
- b) Reel-to-reel tape recordings.
- c) Black-and-white photographs.
- d) Entomological specimens.

With respect to d), the entomological specimens are principally butterflies which are appropriately pinned and mounted in natural history trays and stored in the Museum Collection Storage Area. The status of the specimens, which are used for educational purposes, is under review by the park staff. At this time, the specimens are not accessioned into the museum collection.

As mentioned in Chapter I, part of the Ellison Orr Collection consists of a research library and a number of his manuscripts and personal papers. However, the park does not have the published microcard version of a portion of Orr's work, Iowa Archeological Reports 1934-1939, which it should consider acquiring, although not for the purpose of accessioning it into the museum collection (2). While microcard technology is now obsolete, it is possible that the microcards could

be converted to the microfiche format, which is more widely used and readily available. The microcard version could serve as a working copy or finding aid, thus reducing "wear and tear" on the original.

Deaccessioning issues at the park are currently of greater priority than acquisition of new items. There are, for example, 1,003 unidentified geological specimens in two object storage cabinets in the basement (3). The specimens have no provenance and have not been cataloged or labeled. Advice should be sought from a specialist before any decision is made about the future of these items. The park may wish to keep some specimens as park property for interpretive purposes. Recently adopted legislation enables parks to transfer deaccessioned objects to non-NPS institutions such as local schools or historical societies (4). Before proceeding with a transfer, proper cataloging procedures must first be undertaken. Those items selected for deaccessioning should be lot cataloged, after which they can be deaccessioned and then transferred to another institution.

In a Report of Survey completed in July 1990, the park deaccessioned 238 cataloged objects and uncataloged portions of 14 accessions (5). These items, which are principally archeological, are described as: "Miscellaneous material that does not fit the Scope of Collection Statement for artifact/museum storage at Effigy Mounds NM." It is known that some of this material contained human remains and it is possible that a significant portion of the items listed on the Report of Survey may have fallen within the terms of reference of the Native American Graves Protection and Repatriation Act of 1990. The park is not currently working with an archeologist at the Midwest Archeological Center to resolve issues relating to the 1990 deaccessioned human remains. At this time, there appear to be two such unresolved issues, as discussed below.

1. A study of the human remains in the park collection was conducted in 1986 by the Office of the State Archeologist, University of Iowa, under purchase order PX 6115-6-0166 (Fisher and Schermer n.d.). Some of the remains in the study had been collected from sites within the park, while other remains came from sites outside the park. Upon completion of the study, the report indicates that the remains from outside the park were to be reinterred in a state cemetery, while the remains from sites inside the park would be returned to the National Park Service. It is unclear whether any of the latter human remains are still included in the park collection.

2. While the actual human remains were apparently deaccessioned in 1990, it is not clear whether there are any associated grave goods still included in those accessions. Any such items would now be defined as "unassociated funerary objects" in terms of NAGPRA, if the human remains are no longer at the park.

To resolve these issues, it is recommended that the park develop a project statement to fund a study which should be conducted by a professionally qualified archeologist per the requirements of 36 CFR 61. The study also should involve a review of all primary field documentation relating to these objects, relevant accessions and deaccession records, and park correspondence files, together with the objects remaining in those accessions. The project should be coordinated with the Regional Ethnographer-Cultural Anthropologist.

Revised procedures for deaccessioning have been developed and recently distributed as Chapter 6, Deaccessioning, for insertion into the Museum Handbook, Part II. The chapter should be consulted for formulation of a deaccessioning policy, as well as for guidance during the course of the forthcoming museum records reconciliation. Advice also can be sought from the Great Plains System Office Curator.

## **RECOMMENDATIONS**

### **Scope of Collection Statement**

1. Revise/update the Scope of Collection Statement as outlined above within the next two-three years, preferably sooner.

### **Acquisition and Disposal**

1. Work with the Ethnographer-Cultural Anthropologist and the Midwest Archeological Center to develop a project statement for a study to resolve the issues relating to the objects which were deaccessioned in 1990.
2. To establish baseline accountability for the resource, the collection is under review and assessment to meet the standards outlined in the Museum Handbook, Part II (1996), Chapter 4:18-20.
3. Identify all objects for deaccessioning during a comprehensive review and reconciliation of the museum records. (See Chapter III, Museum Records.) Follow procedures for deaccessioning in the Museum Handbook, Part II, Chapter 6. With respect to the unidentified geological specimens, seek advice on the significance and possible future use of the specimens. Before any specimens are deaccessioned, they must first be accessioned and then lot cataloged.



### III. MUSEUM RECORDS

Museum records are critical to the park's museum collection, because they contain documentation on the history and importance of the collection and thus justify its care and preservation. Records provide proof of the park's legal ownership of the collection, and are essential to its research and exhibit use as well as to its proper maintenance and preservation. Thus, the importance of museum records necessitates special care in their generation and handling.

To establish accountability for its museum collections, the National Park Service requires parks to accession, catalog, and inventory museum objects annually. It also requires that records be maintained on the use and disposal of these objects (NPS Management Policies; NPS-28, Cultural Resources Management Guideline, [Revision No. 4, 1994]). Instructions for museum record keeping and supporting documentation such as photography are in NPS Museum Handbook, Part II, including three recent additions: guidance on record submissions to the National Catalog (inserted into Chapter 3); Chapter 4, Inventory and Other Special Directions; and Chapter 6, Deaccessioning.

The records and documentation for museum objects at Effigy Mounds National Monument were examined considering these standards, allowing for the standards in effect at the time the work was accomplished. Usually current standards do not require museum records that were properly prepared according to previous standards be revised. The subjects addressed in this chapter are: accession records; catalog records; Automated National Catalog System (ANCS); inventory records; outgoing and incoming loans; photographic records.

#### ACCESSION AND CATALOG RECORDS

The primary requirements for accessioning as outlined in the Museum Handbook, Part II, Chapter 2, are: accessioning is completed promptly upon receipt of objects; each acquisition is recorded in an Accession Book; legal and supplementary documents are completed and placed in the Accession File; the Accession Book and files are stored in an insulated file cabinet.

The primary requirements for cataloging, as outlined in the Museum Handbook, Part II, Chapter 3, are: registration data, and any available additional data, should be entered on the appropriate Catalog Record Form soon after receipt; catalog data may be entered simultaneously with registration data or programmed for completion later; standardized techniques for entering data, describing, numbering and marking the objects must be followed; the original catalog record is sent to the National Catalog Office.

The National Park Service has developed a computer program (ANCS) that allows for input of accession and catalog data, printing of Form 10-254 catalog records, and production of a variety of collection management reports. Designed for use on park microcomputers, the system does not require users to have comprehensive knowledge of computers or computer programming. ANCS Version 3.21, released to the field in September 1987, uses the relational database software "dBase III Plus." In April 1988, Version 3.30, compiled in Clipper, was released. This version operates more rapidly and does not require database management software. At present, ANCS Version 3.31 is the most current version of the program. It incorporates The Revised Nomenclature for Museum Cataloguing by Blackaby and Greeno (American Association for State and Local History, 1989), which supersedes the former NPS classification system contained in Nomenclature (American Association for State and Local History, 1978) by Chenhall. A new electronic cataloging program is being field tested and will supplant ANCS in the near term.

## MUSEUM RECORDS AT EFFIGY MOUNDS NATIONAL MONUMENT

The park's museum records are kept in the Archives Room, a small room housed within the Museum Collection Storage Area, located in the basement of the visitor center. Chapters IV-VI describe the physical conditions of this area. The museum collection's Accession Book, Accession File, and other material related to the management of the collection are kept in three, fire-resistant, Schwab 5000 file cabinets within the Archives Room. Also housed inside the cabinets are electronic media. A specially designed storage box for such media needs to be purchased.

Working copies of the catalog records, stored in green-post binders, are placed on a metal shelving unit in the Archives Room. A number of binders containing working copies of the catalog records also are located on the floor adjacent to the shelving unit. Some of the binders contain duplicate records.

### ACCESSION RECORDS

Accession records document the park's acquisition of artifacts, and therefore have important legal significance. They consist of two major record keeping systems. The first is the Accession Book (Form 10-256), a chronological ledger that documents each acquisition as it occurs by assigning sequential numbers to transactions. Each accession entry should represent a single type of transaction which took place on a specific date. Because of its legal importance as a record of acquisition, it is extremely important that entries be chronological and consecutive, and that pages not be skipped or removed from the book. The second set of records, the Accession File, contains additional documents related to each separate transaction, including documentation of legal ownership, itemized listing of objects received, and other records related to the objects involved.

Effigy Mounds National Monument has one Accession Book, a large book measuring 11 1/2" x 9". It was purchased in order to replace the original Accession Book, which was damaged prior to 1976. In general, the book is in good condition. Attached to the book are photocopies of the entries from the original book (accession numbers 01-43 inclusive). These photocopies should be copied on archival quality bond paper and then stored in an accession folder adjacent to the front of the Accession File. At the time of the site visit, the book contained 148 accessions (1). The first entry, accession number 01, is dated 1950. Catalog numbers have been assigned to this accession, described as "archeological materials from authorized excavations on the monument," and need to be recorded in the Accession Book.

There are a sufficient number of deficiencies in the Accession Book to warrant a comprehensive review of the book. Problems include numerous incomplete entries, inconsistent error correction techniques, use of ball-point pen instead of indelible ink, and comments written between entries.

In addition to the Accession Book, the park has three other accession books. The Simplified Accession Book should be checked for completeness. The Library Accession Book is a partial listing of the park Library. Since the time of the site visit, the library accession catalog was converted to the software database program, Pro-Cite. The library and the database references are managed separately and are not part of the museum collection. The third book lists the object name of a particular accession in the museum collection, its catalog number, and its location in the Museum Collection Storage Area. Although the information in this book appears to be accurate, it duplicates the information found in the working copies of the catalog records.

With respect to the park's Accession File, the appropriate folder (Form 10-255) has been used to house the accession records and related material. The recently printed folders comprise the file. A few of the folders were tested for acidity by the contractor using a pH Testing Pen. Their pH was determined to be less than 6. Since pH levels below 7 are acidic, park staff should replace the folders.

With the exception of accession numbers 144 and 148, all accession folders are present and stored consecutively in the file (2). Based on an inspection of a random sample of folders, the blocks on the fronts of the folders have been properly completed. Many of the folders are incomplete due to lack of source of accession (3). As part of a review and reconciliation of the museum records, the contents of all the folders should be checked for acidic materials and metal paper clips.

A Source of Accession File is not present among the museum records. Maintaining a Source of Accession File is not mandatory for parks.

Unaccessioned items housed in the Museum Collection Storage Area include a Winnebago basket and reel-to-reel audio tapes. The tapes probably were recorded for oral history purposes. The entire collection storage area, as well as the library shelves, plan chests, and file cabinets outside the area, should be inspected to see if other potential accessions are present. Before any objects are accessioned, it should be determined if they fall within the current Scope of Collection Statement. Also, a space should be allocated in the Museum Collection Storage Area solely for unaccessioned material, so as to clearly separate the material from accessioned objects in the collection. (Also see Chapter VI, Museum Storage.)

## CATALOG RECORDS

National Park Service catalog records contain information on specific objects or groups of objects in the collection. In addition to providing a record of an object's appearance and provenance, these records include object location, status, condition and value. They are critical to the use and maintenance of the collection.

A review of the park's catalog records revealed a number of issues that need to be addressed. Catalog records from 9841 have not been printed. Working copies of the catalog records for accessions 12, 146, and 148 are missing. These accessions represent catalog numbers 9842-48 inclusive, 9916, and 9917, respectively (4).

The working copies of the cards are kept in 15 green post binders in the Archives Room, on a metal shelving unit. Although the original, white colored copy of the record cards has been sent to the National Catalog office, there is a duplicate set of the original cards on the shelving unit. Also, a duplicate set of the working copies are stored in green post binders on the floor adjacent to the shelving unit. During the site visit, the binders were placed in a large, lidded plastic storage container. Neither of the two duplicate sets of record cards appears to be complete and up-to-date. These sets of record cards should be removed from the Archives Room and disposed of following the review and reconciliation of the museum records recommended above (5).

A selected number of the catalog record cards were reviewed during the site visit to check the accuracy and completeness of the records. In general, the catalog records are fairly complete and accurate. The classifications appear to be correct. Some of the object descriptions are rather brief, however. The objects' condition is indicated with the proper codes. Having been generated by ANCS, all information on the cards is typed, including the location of the object concerned.

Generally this information is hand-written with pencil to allow for changes in the location of collection storage.

Twenty-four objects have a catalog folder: catalog numbers 7078-98 inclusive, 9242, 9435, and 9467. Each folder contains a photocopy of the object's catalog record card, indicating the former and current catalog number of the object in question. New catalog numbers were apparently assigned to these objects after a number of items were deaccessioned. The catalog folders are new accession folders (Form 10-255), rather than the green colored archival quality folders issued for this purpose. Using a pH Testing Pen, the pH of the folders was determined to be approximately 6. The existing folders should be replaced by green colored archival quality folders.

#### **AUTOMATED NATIONAL CATALOG SYSTEM**

At the time of the site visit, the majority of the museum collection has been processed and cataloged into the ANCS. The total item count entered into the program is 9918. As mentioned, the last catalog record card in the green post binders is assigned to catalog number 9841. At the time of writing, a contractor has recently cataloged the park's collection of photographs, assigning catalog number 9919 and above.

A range of computer equipment is installed in the park Library to facilitate museum record keeping. The equipment, which is used solely for museum collection purposes, includes:

- a) Dell Optiplex 466/MX hard drive
- b) Dell UltraScan monitor
- c) Okidata 02810e laser printer
- d) Okidata Microline 321 dot matrix printer
- e) Iomega external tape drive
- f) A battery-operated back-up system.

The equipment is in good working order. Version 3.30 of the ANCS is in use at the park, and the ANCS user manual is stored in the Library. A password is employed to protect the catalog data in the program. In addition to Microsoft Windows 3.1, other software loaded into the computer includes WordPerfect 5.1 and dBase III Plus.

Using the data entered into the ANCS program, seven objects were randomly selected to determine if they could be retrieved for inventory purposes. Of the seven items selected, one object was not placed in its designated location. Catalog number 9842 was located in cabinet 1, drawer 5, instead of cabinet 1, drawer 1, as indicated on the ANCS record card entry. Moreover, a random inspection of objects in the storage cabinets revealed that some items are not labeled with the park acronym. It is assumed that the labeling was done several years ago, when the NPS did not require that acronyms be incorporated into object marking as a standard operating procedure. There is no need to add the acronym at this time, unless the object leaves the park on loan.

#### **INVENTORY RECORDS**

NPS museum standards require annual inventory of collections. In 1988, inventory standards were revised to require 100% annual inventory of controlled property and a random sampling of other museum property. Controlled property consists of objects valued at \$1000 or more, incoming loans, firearms, and other objects vulnerable to theft, loss or damage. The park does have controlled property.

The Annual Inventory of Museum Property (Random Sample) was last conducted at the park in 1993. Because of the rehabilitation project at the visitor center a more recent annual inventory was not conducted although a complete physical inventory was completed in the fall of 1996 by a Great Plains Curation team led by the System Support Office Curator. The following summarizes the findings of the 1993 inventory: 199 objects are listed; none of the objects are on loan; none are damaged. Eight items are listed as missing and have been deaccessioned. All the deaccessioned material is so noted in the Accession Book. There does not appear to be any evidence of a Board of Survey being completed in the deaccessioning of 1986 but there was one done in the 1990 deaccessioning.

In January 1996, the NPS Automated Inventory Program (AIP) was released. Parks are now required to use the AIP to undertake an annual inventory of all cataloged controlled and non-controlled museum objects as well as uncataloged accessions. Existing copies of the former inventory forms (Forms 10-349, 10-349A, 10-349B, and 10-349C) should be discarded and replaced with AIP-generated forms. The revised inventory procedures require that some adjustments will be necessary for the submission of the forms.

Park management should create a file or three-ring binder to store a duplicate set of the Annual Inventory forms. The policy at the park is that all official records, including the Annual Inventory forms and Reports of Survey (DI-103) be retained with the administrative files. At present, it is difficult to review the findings of former inventories. Some inventories dating back to the 1980s are stored in the "To Do" box in the Museum Collection Storage Area. Similarly, a file or three-ring binder should be created to store a duplicate set of Reports of Survey.

#### OUTGOING AND INCOMING LOANS

Over the years a number of objects have been loaned by the park to other institutions for research purposes. Based on the FY96 Collection Management Report, there are five outgoing loans, representing a total of 457 objects. However, the actual number of outgoing loans may exceed that listed in the report. There appears to be four outgoing loans to MWAC alone although they are not correctly annotated with accession forms (6). EFMO does not have an active file for loan forms and loan related correspondence. An Outgoing Loan Folder as described in the Museum Handbook, Part II, Chapter 5:7 should be established. A review of the agreement forms and correspondence in the "To Do" box indicates that a number of loans have terminated, although the objects have not been returned to the park. For example, a loan agreement between the park and the Office of the State Archeologist terminated in October 1987, without record that the objects had been returned. This loan may refer to the human remains which were loaned to the Office of the State Archeologist for study in 1986, at least a portion of which are thought to have been reburied by the State. (See Chapter II, Scope of Collection.)

In 1995 the Curatorial Services Division issued Chapter V of the Museum Handbook, Part II, which provides revised procedures for outgoing loans. Included in the chapter are a number of new and revised forms, including two required forms: Outgoing Loan Agreement (Form 10-127 Rev.) and Conditions for Outgoing Loans (Form 10-127a). For any future outgoing loans from EFMO, the forms should be completed by both the Superintendent and the responsible official from the borrowing institution.

There are eight incoming loans entered in the Accession Book although it appears as if there are possibly ten incoming loans (7).

Collecting permits to gather natural history specimens (Form 10-741) are used by park management to control the systematic collection of natural history specimens within the park boundaries. At present, there are no active collecting permits. The park's general files contain records of previously issued permits.

### **PHOTOGRAPHIC DOCUMENTATION**

Systematic photography of the entire museum collection has not been pursued at the park. Nevertheless, black-and-white and color photographs of certain items in the collection have been made, for example, ceramic, shell, and copper objects. These photographs have been glued on to Print File Cards (Form 10-30, 7/57). Most of these cards contain the relevant negative number, although some do not. During a review of the museum records it would be useful to determine if some of the negative numbers could be identified. The negatives themselves have been placed in Negative File Envelopes (Form 10-107, 7/61).

### **RECOMMENDATIONS**

1. Continue to work through the museum records and list as accomplishments and as measured outcomes at the end of the fiscal year. This strategy reflects the Government Performance and Results Act of 1993 (GPRA) of the Cultural Resources Strategic Plan and complements the NPS Strategic Plan. For example: Reorganize and reconcile the museum records identified in the 1997 Collection Management Plan and Curatorial Strike Team Inventory Project conducted in 1996.
2. Bring outgoing and incoming loan agreements up-to-date and use the recently released forms for future loans.
3. Use the recently released Automated Inventory Program for future annual inventories of the museum collection.

## IV. MUSEUM PROTECTION

### SECURITY

In part, the park's topography provides effective perimeter security. On the east side of the North and South Units, access is controlled by vertical cliffs and/or thick forest. The Sny Magill Unit is more vulnerable than the other two units. To some degree, vehicle access to areas within the park is controlled. Although a kiosk is not located on the main driveway leading into the headquarters area, the parking lot is closed with gates and visitors are not allowed to enter the park after sundown. Two park residences also are located near the driveway. Security activities within the park are geared towards both natural resource and archeological resource protection. Patrols are carried out on a regular basis in which patrol reports are completed. Based on past incidents, crimes which have the highest potential of occurrence at EFMO include wildlife poaching, vandalism to burial mounds, looting, and collection of plants such as mushrooms and wildflowers.

Chris Harman, Park Ranger (Law Enforcement), is currently the sole commissioned law enforcement officer at the park. He is a permanent employee subject to furlough. Mardi Butt-Arce, Chief of Interpretation, Visitor Services, and Protection, will complete law enforcement training during the first half of 1997. Other staff members who have related protection duties include Tom Sinclair, Chief of Maintenance, who is Park Safety Officer, and Steve Schultz, Maintenance Worker. Steve and Chris prepared the park's Emergency Operations Plan.

A formal, written cooperative agreement with an outside agency regarding law enforcement issues does not exist. To comply with NPS mandates and requirements for emergency management of museum collections, such an agreement should be pursued by the park in the near future (1). A written agreement also establishes accountability between the park and the law enforcement agencies in the surrounding area. At present, the State Highway Patrol, the McGregor Police Department, and the Allamakee County Sheriff all respond promptly when contacted. A Crime Prevention and Physical Security Plan for the park was prepared in 1993. The plan should be implemented and a courtesy copy of the plan should be sent to the Midwest Region Law Enforcement Specialist.

As mentioned, the visitor center also functions as park headquarters. The building is protected by an electronic security system which, at the time of writing, is not fully operational. While the front doors are suspect due to the type of detector installation, all four doors may be contributing to the high rate of false alarms. It is possible that the roof design aggravates the situation by creating a pressure differential during high velocity wind conditions. In addition to a flashing light outside the building, a loud audible alarm sounds inside the building when one of the detectors is activated. A local reporting alarm (audible and/or lights) to deter casual intruders is generally considered by security designers to be one of the most effective and cost efficient security devices. Perhaps additional features to the system could be investigated to improve notification of forced entry.

Inside the building, motion detectors are installed in the Museum. None of the exhibit cases are alarmed. A motion detector also is installed in the basement area containing the Museum Collection Storage Area and Curatorial Work Space. These spaces are separated from one another by a metal mesh screen. An entry door to the storage space is fitted with a tamper-proof, dead-bolt lock; the door itself is not of solid-core construction.

The park has a Collection Access Plan. Keys are issued to only two members of staff. A check-in sheet is used whenever anyone enters the Museum Collection Storage Area. The Park Ranger (Law

Enforcement) nevertheless reports that the entry door to the Museum Collection Storage Area is not always locked when the space is unoccupied, and that too many people have access to the space. Also, opening and closing procedures are not being followed. The door to the area has sometimes been left unlocked when the building is closed for the night. As mentioned in Chapter III, Museum Records, there is no lock on the Archives Room door. Although the keys to the object storage cabinets in the Archives Room are kept in a locked box, forced entry into the box would not be difficult to achieve. Combined, these deficiencies make both the collection and the museum records more vulnerable than they should be.

Park management needs to address the issue of improper handling of the collection. The Park Ranger (Law Enforcement) also has indicated that a copper breast plate is now partially covered with the residue of a resinous material following the filming of the object in October 1996. The resinous material was used to support the object when the film crew was working at the visitor center. Park management should ensure that employees and all non-NPS personnel continue to adhere to established artifact handling techniques.

### **FIRE PROTECTION**

The visitor center is equipped with a fire alarm system which is on 24 hours-a-day. Battery back-up is provided to the system in the event of a power failure. A sprinkler system protects the entire building, with the exception of the Library and Museum Collection Storage Area. Fire extinguishers are provided for fighting small fires, that is, non-structural fires. Approximately one dozen extinguishers are strategically located throughout the visitor center; they are installed and maintained in accordance with NFPA Code No. 10. In the basement, the Museum Collection Storage Area and Curatorial Work Space are protected by a Halon 1301 suppression system. Specific instructions about the procedures which should be followed in the event of a fire are provided in the Emergency Operations Plan. A portable Halon 1211 fire extinguisher is the sole extinguisher situated within the Museum Collection Storage Area. The gauge indicates that the extinguisher should be recharged.

A Structural Fire Management Plan for the park's buildings has not been prepared. Nevertheless, general instructions for dealing with structural fires are given in the Emergency Operations Plan. A Memorandum of Understanding with the City of McGregor Volunteer Fire Department which had been in effect for structural fires has now expired. Response time for the volunteer team is approximately 15 minutes. The Park Ranger (Law Enforcement) is currently investigating the creation of a working relationship with the Marquette Fire Department, who apparently has an agreement with the McGregor Volunteer Fire Department.

### **EMERGENCY OPERATIONS PLAN**

A park-wide Emergency Operations Plan was compiled and approved in 1995. It provides detailed instructions on a range of accidents, environmental emergencies, structural fires, and wildland fires. An Emergency Operations Plan has not been written to address the specific needs of the museum collection during emergencies or natural disasters. A salvage cache also has not been created which can house equipment and supplies specifically designed to protect and/or recover museum objects, nor have drills or exercises been scheduled to prepare park staff for probable response and recovery procedures. Given the distance which trained specialists would need to travel to reach Effigy Mounds National Monument at short notice, it is vital that a collection-specific, Emergency Operations Plan be compiled, in order that park staff are capable of



undertaking many of the recovery tasks which might normally be carried out by a trained conservator or collections manager.

#### RECOMMENDATIONS

1. Ensure that the electronic security system is fully operational, that is, the alarm for the first floor doors is functioning. Establish a cooperative agreement or a similar written understanding with an outside law enforcement agency. Technical assistance and policy guidance is available to the park by contacting the Midwest Region Law Enforcement Specialist.
2. Consult with the Midwest Region Safety Officer for technical assistance regarding an effective means of recovering Halon in-service fire suppression cylinders.
3. Continue to enforce security procedures for access to the Museum Collection Storage Area as well as for object handling, particularly for non-NPS personnel. Provide a dead-bolt lock for the door of the Archives Room.
4. Establish a Memorandum of Understanding or similar written agreement with a local fire department for the suppression of structural fires. Continue to inspect and service the park's fire extinguishers on a regular basis. Compile a Structural Fire Management Plan that addresses procedures for preparedness and evacuation.
5. Compile a written, site-specific Emergency Operations Plan for the museum collection. The park's resource management staff can refer to NPS Museum Handbook, Part I, Chapter 10, and consult with the Great Plains System Support Office Curator during preparation of the plan. A cache should be created to store equipment and supplies needed for the protection and recovery of the collection in the event of a natural disaster or emergency.

## V. MUSEUM ENVIRONMENT

NPS Management Policies (December 1988) addresses the need to preserve museum collections properly. In addition, NPS-28, Cultural Resources Management Guideline, (Release Number 4, 1994) outlines standards for managing museum objects.

The key to long-term preservation of a park's museum collection is practicing preventive conservation. Preventive conservation comprises all of the actions taken to prevent harm to an object, including but not limited to monitoring and controlling the museum environment, applying proper storage and exhibit techniques, practicing proper handling, and carrying out an ongoing housekeeping program.

This chapter reviews basic museum standards for environmental monitoring and control and discusses common environmental problems. Specific recommendations to improve the environmental conditions in collection areas are included in this chapter.

One of the major causes of a museum object's deterioration is the reaction between the object and its environment. Therefore, the environmental conditions in which museum objects are stored and exhibited should be closely monitored. Conservation work can be costly and a waste of limited resources if an object is returned to a poor environment.

Special Directive 80-1 (Revised 1990) provides collection managers with the current museum environmental standards in effect for NPS collections. Housing museum collections in a safe, stable environment will reduce the rate of deterioration, prolong the life of an object, and reduce the need for conservation treatment. Measuring and recording environmental conditions over a period of one year is essential when deciding how a building should be adapted to create a better environment for museum objects. The initial records can provide a basis for making accurate recommendations for improving conditions. Environmental monitoring should become part of an ongoing improvement program, along with assessing the effectiveness of various environmental control measures to reveal additional controls that may be needed to achieve optimum conditions, such as UV filters, dehumidifiers, air conditioners, and electric fans for air circulation. Monitoring also ensures that desired optimum conditions actually are being maintained.

### A. TEMPERATURE AND RELATIVE HUMIDITY

As outlined in revised Special Directive 80-1, the optimum temperature for housing objects, when human comfort is a factor, is 64-68° F (18-20 °C). In areas visited only infrequently, lower temperatures are acceptable, even desirable, since chemical and biological activity, and thus the aging process, is slowed with decreasing temperatures. Temperature levels should be maintained, without abrupt fluctuations, between an acceptable maximum of 75° F (24° C), and a minimum just above 32° F. The data that are currently being collected from the environmental monitoring program at EFMO will enable park staff to determine the extent to which temperature levels in collection areas meet the guidelines in Special Directive 80-1.

Relative humidity—the ratio of the amount of water vapor present in a volume of air to the maximum amount possible at the same temperature—is one of the most important aspects of the environmental control. Rapid changes in relative humidity (RH) and temperature often cause physical stress and accelerate the chemical deterioration of objects. Slow variations are preferable. Ideally, fluctuations in relative humidity should not exceed  $\pm 3\%$  RH from a set point (1). Good ventilation also is needed to minimize pockets or microenvironments of stagnant, humid air.

Because units of the NPS are located in different climatic zones, acceptable ranges and limits of relative humidity should be formulated individually for each park, having first collected environmental data for at least one year.

Temperature and relative humidity readings were taken in a number of locations at the visitor center during the site visit. The readings, which are listed in Table 1 below, were measured with an electronic temperature and humidity meter, Humi-chek 5.

Location	Temperature	Relative Humidity
Exterior of Visitor Center Outside Front Entrance of Building	32 °F	58% RH
First Floor Center of Museum	68° F	37% RH
Basement Entrance to Museum Collection Storage Area	68° F	38% RH

**Table 1. Temperature and Relative Humidity Levels\***

\* Readings were taken in the second half of November. Temperatures hovered around freezing, and there was snow on the ground during the site visit. The building's HVAC system was functioning.

The indoor temperatures in Table 1 are consistent with the guidelines outlined in Special Directive 80-1. However, given the range of objects and materials contained in the collection, the relative humidity levels would benefit from being slightly higher.

It should be noted that the measurements in Table 1 are 'spot' readings, and therefore do not necessarily represent the climatic conditions that can occur at the above locations at other times during a 24-hour period, or during other seasons of the year. To obtain a better indication of these conditions, for the purpose of possibly modifying the visitor center's HVAC system, park management should evaluate environmental data that have been *systematically* collected over the course of at least one year. Assistance with this evaluation should be sought from the Great Plains System Office Curator. As mentioned, acceptable relative humidity parameters need to be formulated individually for each park.

At present, the environmental conditions in the visitor center are continuously monitored by two hygrothermographs: one mounted on a wall in the Museum, the other on top of a file cabinet in the basement adjacent to the Museum Collection Storage Area. Both instruments appear to be in good working order, although in need of superficial cleaning to remove dust. In addition, based on the measurements taken with the Humi-chek 5 (Table 1), both instruments should be recalibrated. Instructions on the operation and calibration of hygrothermographs are described in the NPS Museum Handbook, Part I, Chapter 4. Comparison of the instruments' readings is given below.

Location	Humi-chek 5	Hygrothermograph
Museum	68°F; 37% RH	76°F; 45% RH
Basement	68°F; 38% RH	71°F; 54% RH

**Table 2 Comparison of Instruments' Readings: Hygrothermographs and Humi-chek 5**

Furthermore, park staff should ensure that the paper charts are changed weekly, which was not the case during the site visit. Moreover, a log of daily observations should be maintained at the park. It should be used to document weather conditions and other relevant occurrences, for example, visits by large groups of people, breakdowns in the HVAC system, which often affect the building's internal environment. The log will make interpretation of the temperature and relative humidity records easier, and will simplify the identification of problem areas and the development of any plans to improve the HVAC system.

Temperature and relative humidity levels also are monitored in a few of the exhibit cases in the Museum. An inspection of these small, dial hygrothermometers revealed that there is no provision for recalibrating these instruments. As with the park's hygrothermographs, the instruments' readings varied significantly from those of the Humi-chek 5. Funding should be sought through the Museum Collections Preservation and Protection Program to replace the dial hygrothermometers and to purchase an aspirated psychrometer, which would be used to calibrate the two hygrothermographs and new dial hygrothermometers. Chapter VII of NPS Tools of the Trade (August 1996) lists instruments suitable for use at EFMO.

In the long-term, self-contained dataloggers could be employed at EFMO to record the environmental conditions in the visitor center. Dataloggers make the process of data analysis much simpler than reviewing hygrothermograph charts. An overview on the use of dataloggers has recently been published by the NPS: Conserve O Gram No. 3/3, "Datalogger Applications in Monitoring The Museum Environment" (Revised), 1995. For the near to mid term, however, there is no reason why the park's two hygrothermographs should not continue to be utilized.

Portable dehumidification equipment is used to adjust relative humidity levels in the basement. Data from the systematic environmental monitoring program should be utilized to assess the effectiveness of the equipment, particularly to determine if additional measures are required to maintain RH levels within an acceptable range.

## **B. LIGHT**

Light can be a very harmful agent to costumes and textiles, works on paper, such as watercolors, leather, paintings, photographs, some natural history specimens, and other organic materials, causing chemical breakdowns that result in the fading of pigments and dyes and the embrittlement of materials. Both visible light and ultraviolet radiation (UV) can act to damage light-sensitive material. Moreover, as light damage is cumulative, the best way to reduce it is to limit both exposure time and intensity of the light source. Recommended visible light levels are given in both Special Directive 80-1 and the Museum Handbook, Part I, Chapter 4.

## Visible Light

Listed below are readings of the intensity of the visible light, called *illuminance*, which were taken in the Museum during the site visit. All measurements were made with a Minolta Illuminance Meter, which has a self-calibrating light sensor.

Location	Object/material	Reading (foot candles)	Recommended Level
Case with Wood Ducks	Feathers	34	5
Case with Pied-Billed Grebe	Feathers	60	5
Case with Red-Tailed Hawk	Feathers	24	5
Case with Broad-Winged Hawk	Feathers	5	5
Series of Paintings Above Curved Panel	Watercolor/gouache?	4-27 (Depends on Location of Painting)	5

**Table 3. Visible Light Readings**

The readings listed in Table 3 indicate that several light-sensitive objects in the Museum receive an excessive amount of visible light. To better protect these objects, there are a number of remedial measures, which are not mutually exclusive, that should be considered:

- a) Installing a translucent, light diffusing panel beneath each ceiling-mounted fluorescent lamp fixture.
- b) Reducing the wattage of the incandescent lamps which illuminate light-sensitive objects (2).
- c) Reducing the transmission of visible light emitted from the exhibit case lighting. This can be done by either installing a perforated fabric made from a stable synthetic material, such as polyester, or a polycarbonate light control film, such as LCF-P made by 3M, in the light attic, below the light source. The LCF-P film contains closely spaced, black microlouvers.

Additionally, visitor center personnel can be instructed to keep the exhibit lighting switched off during periods of low visitation, for example, mornings and early evenings in winter. This measure, which can be adopted now, also will serve to reduce the park's energy bills. Furthermore, with recent advances in technology, the cost of using time-sensitive, exhibit lighting is now very reasonable. For example, the exhibit case lighting could be activated by means of an infrared motion detector when someone enters the Museum. This and the other options above should be considered when plans are developed for the forthcoming rehabilitation of the exhibits (3).

The park does not have a light meter to determine the lighting conditions in the Museum. This was identified as a deficiency in the most recent Checklist for Preservation and Protection of Museum Collections, completed in July 1996. An acceptable, competitively-priced instrument can be purchased for approximately \$160 (4).

#### Ultraviolet Radiation

Ultraviolet radiation is the most damaging element of the electromagnetic spectrum, causing, for example, tendering or weakening of protein molecules in organic materials. The proportion of UV radiation is highest in daylight and most fluorescent lamps. The standard UV measuring instrument in museums is the Elsec UV Monitor, also known as the Crawford UV Monitor, which provides a reading of the proportion of UV radiation to total visible light emitted by a particular light source. Assuming visible light levels are maintained at recommended levels, the UV reading should not exceed 75 microwatts per lumen. Listed below are UV readings taken with an Elsec UV Monitor (Type 762) during the site visit.

Location: Museum	Reading (microwatts per lumen)
Ceiling-Mounted Fluorescent Tubes	50
Incandescent Lamps in Cases/Behind Curved Panel	5 - 55
Spotlamps in Exhibit Alcove	95 - 100

Table 4. UV Radiation Readings\*

\* The lighting conditions were the same as for those listed in Table 2.

The readings listed in Table 4 indicate that the ceiling-mounted fluorescent tubes do not require UV-absorbing filters, nor do the incandescent lamps in the Museum. Although the UV radiation levels associated with the spotlamps in the exhibit alcove are slightly higher than 75 microwatts per lumen, there is no need to filter the lamps at present. They do not illuminate objects which are very sensitive to the damaging effects of light. During the site visit it was not possible to measure the UV emission of the exhibit case lighting within the cases themselves. This should be done in the foreseeable future with an Elsec UV Monitor.

The park does not have an instrument to measure ultraviolet radiation. However, an Elsec UV Monitor can be borrowed from the Great Plains System Office Curator, as these instruments do not need to be used on a regular basis to monitor ultraviolet radiation. As a general rule, the effectiveness of UV-absorbing films should be measured approximately three-five years after installation, followed by every two years, until replacement is required.

#### C. DUST AND POLLUTION

Dust and other airborne pollutants act as agents of deterioration. Dust particles are a microscopic abrasive that can wear away surface detail and act as a catalyst, promoting damage caused by other pollutants. Such damage occurs when dust attracts moisture and gaseous pollutants, for example, sulfur dioxide and hydrogen sulfide, forming acidic solutions that attack materials. Air pollution

and dust, therefore, should be eliminated to the fullest extent possible. Again, prevention is better than treatment; good housekeeping procedures serve to keep dust off collection material.

Stable objects often can be dusted gently using a soft artist's brush and vacuum, a dry cloth such as 'birds-eye' diapers, or a vacuum cleaner with variable suction. Soft, lint-free untreated cotton cloths are particularly useful to clean unfinished wood, glass, and some types of paper. Impermeable durable surfaces such as glazed ceramics can be wet-cleaned with a soft cotton cloth or sponge, then dried thoroughly with a lint-free untreated cotton cloth. Other information on the basic care and maintenance of museum objects can be found in the NPS Museum Handbook, Part I. Wet cleaning or spot cleaning of porous surfaces such as unglazed, low-fired ceramics is best done by a conservator, or under the supervision of a conservation professional.

Effigy Mounds National Monument is located in a rural environment in northeastern Iowa. Data from ambient air quality monitoring, collected both at EFMO and the surrounding area in the recent past, are not available. The specific location of the park and topography of the general region suggest that particulate levels do not exceed EPA standards. Unpaved roads and nature trails are probable sources of dusts and particulates in and immediately surrounding the park, nevertheless. The visitor center's HVAC system is equipped with particulate filtration media. There is no major industrial activity in the area that generates gaseous pollution such as sulfur dioxide. The extent to which pollution is generated by vehicles on the Mississippi River could be the subject of a future study.

#### D. PEST MANAGEMENT

Pest infestations can cause extensive damage to organic materials such as textiles, wood, feathers, and fur. Pests such as silverfish, dermestid and powder-post beetles devour wood, wool, and objects containing cellulosic material. Rodents can destroy a variety of objects as a source of food or during nest building.

The best ways to prevent an infestation are to keep collection areas clean, house objects in tight-fitting storage cabinets or exhibit cases, seal these rooms well, and keep out sources of attraction such as food, water, and nesting materials. Cleaning collection areas according to a housekeeping schedule should remove most food and nesting sources. Food, drink, and live plants should not be allowed in any collection area since they can attract pests. Trash containers in collection areas should be emptied at the end of the day, to avoid attracting insects that are often most active at night.

Effigy Mounds National Monument has natural areas that can provide a habitat for a variety of rodents and insects. These areas surround the small, developed portion of the park in the vicinity of the visitor center. Former rodent and insect infestations at EFMO have included the presence of mice and cockroaches, respectively. These infestations occurred in the visitor center before its major rehabilitation, at a time when the building was a more 'porous' structure. Apparently, none of these infestations had an adverse effect on the preservation of the museum collection. Moreover, a random inspection of objects in the collection during the site visit did not reveal signs of an active infestation.

Park staff have noticed a major change since the building rehabilitation/renovation work was completed. The structure is much 'tighter', and even very isolated infestations have not been detected. Inspections of vulnerable spaces in the building occur on a regular basis. Moreover, the park benefits from good janitorial services. The building is thoroughly cleaned daily.

Pest management activities are the responsibility of the Resource Management Specialist, Rodney Roving, who acts as IPM Coordinator at the park. An IPM Program is in progress at EFMO for the use of herbicides on outdoor plants. A related program has not been established for the visitor center itself, nor has one been instituted for the museum collection. Park staff are nevertheless aware of the benefits of IPM and, as mentioned, apply many of its principles for building janitorial and maintenance activities. At present, chemicals, such as commercial pesticides for domestic/office purposes, are not regularly applied indoors to prevent an infestation. Also, pest attractants are placed in potential harborage sites.

Due to the relatively large number of natural history specimens contained in the building—both on exhibit and in storage—a collection-specific, IPM Program should be developed within the next two years. The responsibility for developing the program should rest with the Resource Management Specialist. He should carry out routine inspections of the building, or, when necessary, supervise inspections carried out by other members of staff. In particular, the IPM program should address the regular inspection and ongoing maintenance of the mounted specimens in the Museum, which were freeze-dried approximately 10 years ago. The preservation of these specimens depends on the maintenance of appropriate environmental conditions in the building. Additionally, the program should address the storage and use of paradichlorobenzene (PDB) in the Museum Collection Storage Area, as well as the inspection and ongoing maintenance of the mounted bobcat stored in an old exhibit case in the basement. With respect to the former, the use of pesticides/fumigants such as PDB is only approved in response to controlling a specific infestation. Chapter 5 of the NPS Museum Handbook, Part I should be consulted for more information and guidelines for establishing an appropriate IPM Program.

## RECOMMENDATIONS

### Temperature and Relative Humidity

1. Purchase an aspirated psychrometer and calibrate the hygrothermographs on a regular basis. For the exhibit cases, purchase hyrothermometers which are capable of being calibrated. Establish a log to document weather conditions and other relevant occurrences.
2. Evaluate the environmental data after a monitoring period of at least 12 months. If the data reveal that the temperature and relative humidity levels are not suitable for the preservation of the collection, consult a mechanical engineer experienced in museum environmental control to develop specific plans for upgrading the visitor center's climate control systems.

### Light

1. Reduce the visible light levels in the Museum. Consider implementing one or a number of solutions described above as part of the forthcoming rehabilitation of the museum exhibits.
2. Purchase a meter to monitor (visible) light levels in the Museum and the visitor center lobby where temporary exhibitions are installed.
3. Borrow an Elsec UV Monitor on a periodic basis to monitor the UV emission of the exhibits' lighting sources.



### Dust and Pollution

1. Place dust covers over objects in the basement that are not housed in storage cabinets. Carefully remove cloth dust covers annually and rinse the covers to rid them of dust.

### Pest Management

1. Compile a written IPM plan for the visitor center and museum collection within the next two-three years. Establish an ongoing monitoring program to detect an infestation at an early stage.

## VI. MUSEUM STORAGE

Proper collection storage is fundamental to responsible museum management. It is essential to carrying out the National Park Service's mission to preserve and protect cultural and natural resources entrusted to its care. An investment in appropriate storage facilities, equipment, and curatorial care is cost-effective in the long-term because it often prevents the need for more costly conservation work, replacement of objects, or, even worse, the loss or deterioration of an irreplaceable object. Collection storage should protect objects from the damaging effects of light, extremes or fluctuations of temperature and relative humidity, dust, pollutants, insects, vermin, mold, theft, and careless handling.

National Park Service museum collections should be stored according to both professional museum standards and the specific policies, guidelines, and procedures established by the National Park Service. NPS Management Policies, Museum Handbook, Part I, Ralph Lewis's Manual for Museums, Special Directive 80-1 (Revised 1990), "Guidance for Meeting NPS Preservation and Protection Standards for Museum Collections," and the Conserve O Gram Series. Park management consults the System Office Curator when more specific guidance is needed.

### MUSEUM COLLECTION STORAGE AT EFFIGY MOUNDS NATIONAL MONUMENT

Museum objects not on display in the park are stored in the Museum Collection Storage Area, situated in the basement of the visitor center. Dimensions of the storage area are approximately 44' (L) x 11' (W). A soffit running the length of the foundation wall reduces the overhead height of the space. To one side of the storage area is the Archives Room, containing file cabinets and open shelving (for the museum records) and a refrigerator for the storage of nitrate negatives. Both the Museum Collection Storage Area and the Archives Room are physically separated from the park Library by a metal mesh screen. A lockable door serves to restrict access to the collection. Chapter IV, Museum Protection, discusses provisions for collection security and fire protection. The storage area is lit with ceiling-mounted fluorescent lamps. Since virtually all objects are stored in cabinets, lighting is not a preservation concern. Local climate control equipment is not installed in the storage area. Temperature and relative humidity are monitored continuously by means of a hygrothermograph adjacent to the access door. Chapter V, Museum Environment, addresses specific environmental monitoring and control issues.

The Museum Collection Storage Area houses standard cabinets and other collection storage furniture. The 15 storage cabinets contained in the area are placed side-by-side, adjacent to the foundation wall. Because of the soffit, an additional row of cabinets cannot be stacked on top of the cabinets located at floor level. However, the current number of cabinets satisfactorily house the vast majority of objects in storage, without overcrowding. For example, cabinet 15 is empty, and the drawers of some other cabinets do not contain objects at present: cabinets 4, 5, 6, 8, 11, and 13. Cabinet 11 is filled with empty storage boxes.

Nevertheless, there is inadequate storage space for a few large items in the collection. A bobcat, for example, is stored in an old exhibit case in another part of the basement, and a large stone object is placed on top of the standard cabinets because of the lack of a deep, structurally sound, open shelving unit. Additionally, a number of large two dimensional items, for example, historic maps, are housed in a metal plan chest within the Library, adjacent to the storage area access door.

The following is a list of storage cabinets and related furniture in the Museum Collection Storage Area:

- a) 15 standard single-width cabinets
- b) 2 standard herbarium cabinets
- c) 1 entomology cabinet
- d) 5 open shelving units for Orr Library Collection (1)
- e) 1 GSA utility cabinet
- f) 1 large work table.

In general, the storage cabinets are in good condition. Major scratches are not evident, and there are no signs of corrosion on the cabinets. In addition, they are structurally stable. They have been elevated off the floor to decrease the risk of damage to collection material due to flooding. All of the seals or gaskets are in good condition. Additionally, the locks are in good working order and there is a key for each cabinet.

Park staff are commended for assigning a number and letter to each cabinet and cabinet drawer, respectively. The same procedure should be followed for the new entomology cabinet. Also, the contents of each cabinet are labeled on the cabinet door. Based on a review of a sample of object catalog record cards, the bulk of the objects are in their assigned location. As mentioned in Chapter III, Museum Records, catalog number 9842 is currently in cabinet 1, drawer 5, instead of cabinet 1, drawer 1. Additionally, some objects are not numbered with their respective catalog number, for example, four iron objects in cabinet 9, drawer 6. All cabinets should be inspected to identify those objects which have yet to be numbered. Among other reasons, this will minimize problems during future Annual Inventories. The issue of the uncataloged geological specimens in cabinets 12, 13, and 14 is addressed in Chapter II, Scope of Collection. Furthermore, some objects are not labeled with the park acronym. If any of these objects are sent out on loan, labeling should be done. In cabinet 3, drawer 3, a number of storage boxes which probably contained geological specimens are empty. Object Temporary Removal Slips (Form 10-97) should be used to indicate the current location of the specimens. The same applies to cabinet 10.

Although a number of cabinets contain many geological specimens and/or archeological sherds, it does not appear as if any of the cabinet drawers significantly exceed their load capacity. As a guide, it is advised that the weight of each drawer of a standard-size storage cabinet should not exceed 55 pounds. Based on this guideline, a few of the cabinets should be reorganized to facilitate drawer movement, for example, cabinets 1, 4, and 5. In addition, the cabinets should be reorganized to make more effective use of the available space for objects, and in order to consolidate items comprising the same discipline. With respect to the former, for example, the empty boxes in cabinet 11 can be stored in a dust-free location outside of the object storage cabinets, and the storage materials and supplies can be removed from both cabinet 23 and the entomology cabinet. Similarly, non-accessioned items should be kept in a specific location, separated from accessioned objects in the collection.

With respect to object storage procedures, the drawers in a number of cabinets, for example, 2, 6, 8, and 9, require the installation of partitions or compartments in order to protect the objects from mechanical damage. Similarly, the geological specimens in cabinet 3 should be placed in a compartmentalized drawer, each specimen assigned to a specific, numbered compartment. The compartment also should contain the specimen's catalog number, in order to facilitate inventory control, and the rubber bands that secure the specimen label to the object should be replaced with braided cotton cord. Also, cavity packing, that is, object 'cut-outs' fashioned from polyethylene

foam blocks or planks, should be employed to house the objects in cabinet 4, drawer 5. Furthermore, a large, polyethylene foam protector ring should be used to support the pot in cabinet 14. Straightforward, cost effective solutions to common storage problems are discussed in Storage of Natural History Collections: Ideas and Practical Solutions (2).

### **CURATORIAL WORK SPACE**

The basement room which contains the Museum Collection Storage Area also houses the Curatorial Work Space and park Library. As mentioned, the collection storage area is physically separated from the remaining part of the room. In effect, the Curatorial Work Space and Library are not distinguished from one another. The room is sufficiently large to accommodate the functional needs of both. Chapter III, Museum Records, describes the equipment comprising the computer system in the Curatorial Work Space. Although the museum records are stored in the Archives Room, rather than the Curatorial Work Space, this does not seem to be a drawback. If necessary, the large table in the Museum Collection Storage Area can be used to refer to some of the museum records for a brief period. Chapter IV, Museum Protection, discusses the provisions for security and fire protection in the Curatorial Work Space.

### **RECOMMENDATIONS**

1. Reorganize the Museum Collection Storage Area in order to utilize the available space more effectively and efficiently. For example: remove empty storage bins from the area; provide foam cut-outs and drawer compartments; arrange objects in the cabinets by discipline, material type, size and weight, as much as practicable; separate non-accessioned items from cataloged material; remove collection storage supplies and materials from object storage cabinets; label cabinets to indicate their contents; and ensure all cataloged objects are in their designated location, as indicated on their catalog record card.
2. Consider utilizing VIPS or hire a team or subject-to-furlough museum aid to accomplish many of these collection management tasks. Their work can be supervised by the Park Ranger (Law Enforcement). (See Chapter X, Planning, Programming, and Funding.)

## VII. MUSEUM EXHIBITS

One of the important uses of museum objects is in interpretive exhibits. However, the conditions in exhibit areas must minimize deterioration caused by temperature, relative humidity, light, biological agents, dust, and pollutants in the environment. Achieving conditions that conserve objects is often difficult and may conflict with the goals of exhibit designers and interpreters.

Only a very small portion of the museum collection—200 objects or approximately 1% of the collection—is currently exhibited in the Museum. Renovation of the exhibit space took place in 1988-89. New exhibit cases were designed and installed, a few of which are relatively large. Some of the former interpretive panels and smaller exhibits were retained, however. In addition to its permanent exhibits, the park has temporary exhibitions in the lobby of the visitor center. There are no other exhibition facilities at the park.

The exhibit cases are structurally stable and appear to be reasonably well-sealed. However, in order to gain access to the objects inside the large exhibit cases, the Plexiglas front panels must be completely removed. At least two persons are required to remove the Plexiglas panels of the alcove exhibit case. More people would be needed to remove the large, curved panels on the exterior face of the alcove exhibit case. Ongoing maintenance of the case interiors, including replacement of exhibit lamps, is therefore labor-intensive, time-consuming, and often awkward.

Regarding object security, the screws which keep the large Plexiglas panels in place are not tamper-resistant. The cases have been opened to complete routine maintenance tasks. During this time the exhibit case screw heads were damaged. Park maintenance staff replaced the tamper-resistant screws with galvanized Phillips screws.

With respect to monitoring and control of the environmental conditions inside the cases, there is no provision for the installation of humidity buffers, such as conditioned silica gel, to stabilize humidity fluctuations. Dial hygrothermometers are installed in a few of the exhibit cases, but, as mentioned in Chapter V, Museum Environment, the readings are no longer accurate because the instruments cannot be recalibrated. It is not known whether the case fabrication materials were tested by a conservator to determine their long term stability (1). The exhibits do not reveal any obvious signs of being affected by poor quality exhibition materials.

Lighting of the exhibits has been a problem at Effigy Mounds National Monument for a number of years. Excessive visible light levels were documented in July 1992. Some of the exhibit lighting is no longer switched on, such as the large exhibit case with mounted natural history specimens. Regardless, high visible light levels were still measured in a number of exhibit cases during the site visit. Recommendations to improve the lighting conditions in the Museum are given in Chapter V, Museum Environment.

When the new exhibits were planned, attention was given to the design and fabrication of object mounts and supports. For example, the Plexiglas supports are well-designed. However, regarding the painted metal supports, padding, such as polyethylene foam, has not been used to protect the objects from mechanical damage due to scratching or surface abrasion. This is the case with the metal rings that support the conical ceramic vessels.

Small children and disabled persons in wheelchairs have commented that they cannot see the top row of objects installed in the curved exhibit case opposite the large, mounted natural history specimens. These objects are exhibited at a height of approximately 6 feet. One relatively

straightforward solution to this problem is to retrofit the exhibit cases: the top row of objects can be moved to the base of the case, where there is room to display them on a curved, translucent sheet of Plexiglas. The object mounts would need to be altered or completely replaced.

The two exhibit cases in the visitor center lobby are typical of many 'off-the-shelf' cases that are fabricated commercially. The cases were not designed with museum object security and preservation in mind. Park management should therefore be aware of the cases' limitations. Specifically, the cases should not be used to exhibit items which are particularly valuable, or are especially vulnerable to vibrations, dust, insects, or humidity variations. Also, the cases are placed adjacent to a large window at the rear of the lobby, although the mini-blinds are closed to reduce the amount of direct sunlight striking the objects in the cases. Extremely light-sensitive objects, such as works on paper or textiles with colorants or dyes that are fugitive, should not be exhibited in the space for an extended period of time. Moreover, park staff should ensure that objects in the cases are not placed on top of one another, as was done for the recent Ellison Orr exhibit. This exhibit practice can cause mechanical damage to objects.

### **RECOMMENDATIONS**

1. Retrofit the curved, alcove exhibit case so that children and disabled persons can better view the top row of objects in the case.
2. Provide new tamper-resistant screws for the exhibit cases in the Museum. Limit access to the interiors of the exhibit cases.
3. Establish a written schedule for ongoing cleaning/maintenance of the exhibit cases and documentation of the condition of the objects. The schedule should be incorporated into the park's Collection Housekeeping Plan. (See Chapter VIII, Collection Preservation and Maintenance.)
4. Do not use the exhibit cases in the visitor center lobby to display objects which are valuable and/or especially vulnerable to damage or deterioration due to environmental factors.

## VIII. COLLECTION PRESERVATION AND MAINTENANCE

### HOUSEKEEPING AND CYCLIC MAINTENANCE

At present, a formalized schedule for inspection and maintenance of the museum collection is not in effect. Activities such as noting the condition of objects in storage, or cleaning the exhibits in the Museum, take place on an *ad hoc* basis. Exhibit cleaning has been hampered by the difficulty in removing the large Plexiglas panels from which the new exhibit cases are fabricated. In the Museum Collection Storage Area, collection housekeeping activities take place on a very limited basis. Equipment and supplies suitable for carrying out exhibit maintenance and collection housekeeping duties have not been purchased.

### CONDITION OF COLLECTION

#### Overview

Based on an examination of a representative sample of objects, the overall condition of the museum collection ranges from fair to very good. None of the examined objects are in need of urgent attention by a conservator. A comprehensive, item-by-item Collection Condition Survey is therefore not required in the foreseeable future. Nevertheless, a number of objects would probably benefit from conservation treatment in the future. For example, 23 books in the Orr Library Collection have previously been identified as needing conservation. Also, some of the photographs which have recently been cataloged by Jeffrey Dawson will require attention. His report provides recommendations for rehousing and conservation treatment.

The condition of some objects at the park may change, to the point where a conservator may need to be contacted. Park management should therefore establish an ongoing monitoring program in order to recognize problems at an early stage. The Great Plains System Office Curator is available to assist the park with collection care and maintenance issues.

As mentioned in Chapter V, Museum Environment, signs of an active insect or rodent infestation are not readily apparent among the objects. Nevertheless, it is important that the condition of vulnerable objects, such as the mounted natural history specimens, be noted on a regular basis, in order to identify an infestation at an early stage.

Park staff should ensure that conservation treatment requests, and subsequent treatment reports, are completed and safely filed for future reference. Conservation Treatment Requests (Form 252) should be used, when appropriate; and all conservation treatment reports should be fully documented -- whether the treatment was undertaken in-house or by an outside conservator. Both treatments and their documentation should conform to the Code of Ethics and Guidelines of Practice of the American Institute for Conservation of Historic and Artistic Works (AIC).

A summary of the condition of the major categories of collection material is given below.

#### Archeology

In large measure, the lithics and ceramics are in good condition. As mentioned in Chapter VI, Museum Storage, the adoption of improved storage procedures, for example, use of drawer compartments, will minimize the likelihood of mechanical damage wherever large numbers of archeological fragments are stored together. Most bone objects are stable, although a small number

of items are particularly fragile, for example, in cabinets 1 and 9. The objects' condition should be monitored periodically and unnecessary handling should be avoided. Similarly, the condition of the mastodon tooth in cabinet 4, drawer 4, should be checked and recorded, as well as the shells in cabinet 5. Some delamination of the shells is evident.

The metallic objects are largely in stable condition, including the four iron objects in cabinet 9, drawer 6, which were treated previously. These objects are placed in a bag containing a desiccant such as silica gel to deter corrosion. As a preventive measure, the same should be done with the other metallic objects, whether ferrous- or copper-based, in cabinets 1, 4, 5, 6, and 7. In cabinet 6, drawer 1, the condition of the iron object (catalog number 3364) should be monitored carefully. Appendix B contains information on recognizing active corrosion.

### Ethnology

Virtually all of the ethnological objects are in a good state of preservation. In cabinet 1, the beaded moccasins are in stable condition, but they should be filled with unbuffered acid-free tissue paper to maintain their overall shape. Unbuffered acid-free tissue paper is normally recommended for the storage of protein-based materials such as leather, feathers, and wool; buffered acid-free tissue paper is used for cellulose-based objects such as baskets and textiles made from cotton or linen. As recommended in Chapter VI, Museum Storage, the points should be placed in foam cut-outs. This will be particularly useful for the preservation of the fletchings.

### History and Archives

As mentioned, 23 books in the Orr Collection have already been identified for conservation treatment. Also, Jeffrey Dawson's cataloging project has revealed the need to rehouse and conserve portions of the photographic material. Items which will probably need attention include glass lantern slides and nitrate negatives. The cataloging project also will serve to indicate the number of copy negatives which will need to be made, so that there is an archival quality negative of each unique image.

### Natural History

The mounted specimens in the Museum which have been treated by freeze-drying appear to be in stable condition. It was not possible to disassemble the exhibit cases to examine the specimens closely. Object condition checks should be conducted and documented on a regular basis, especially when temperature and relative humidity levels are particularly high. Specific questions about the changing condition of the specimens should probably be addressed to Gurnee Freeze-Dri Taxidermy (1). Because some other taxidermy specimens may have been treated in the distant past with toxic chemicals to deter insect infestations, park staff should be aware of the visible signs of the use of arsenic compounds or mercuric chloride. (See, for example, Conserve O Gram No. 2/3, "Arsenic Health and Safety Update.")

Mounting methods for the herbaria vary. Some specimens are adhered to herbarium sheets with glue; in other cases thin white tape has been used. Random checks of the specimens should be made periodically to ensure that all parts—especially fragile and brittle parts—remain secure and satisfactorily supported. New specimens accessioned into the collection can be mounted by a system described in Storage of Natural History Collections: Ideas and Practical Solutions. (See Chapter VI, Museum Storage.) The publication also provides guidance for the storage of entomological specimens.



The bulk of the geological specimens appear to be in stable condition. It should be noted that some specimens can be adversely affected by extreme or changing environmental conditions. For example, pyrites are humidity-sensitive, and their condition should be monitored periodically. The changes which can result from variations in ambient relative humidity include oxidation (decay of sulfides), corrosion (generally of native metals and alloys), and dimensional instability (distortion of hydrated silicates). Other damaging reactions (deliquescence, efflorescence, hydration and hydrolysis) involving the mineral and water vapor in the air also can occur. Being the most significant geological specimens at the park, the Orr Collection should be monitored for changes in condition. Assistance could be sought from the Department of Geology, University of Iowa, for the recognition of signs of specimen deterioration.

#### RECOMMENDATIONS

1. Compile a comprehensive, written collection maintenance and housekeeping plan that addresses the needs of the museum collection. Purchase additional housekeeping equipment and supplies needed to carry out the activities outlined in the plan. Also, purchase inert, self-sealing containers and silica gel for the metallic objects in storage. Procedures for cleaning and maintenance of objects should be drawn from the NPS Conserve O Gram Series. Examples of other park plans can be obtained from the Great Plains System Office Curator.
2. Establish an ongoing collection condition monitoring program. Objects should be inspected on a regular basis, for example, annually, in which observations are documented in a log for future reference. More vulnerable objects, such as metallic objects, could be inspected biannually.
3. Arrange conservation treatment of the 23 books in the Orr Library Collection; copying of the nitrate negatives onto a stable format; and the treatment and/or rehousing of any photographic items stemming from the recent cataloging project.
4. Ensure that all treatments on museum objects, whether conducted in-house or by outside specialists, are fully documented. Conservation treatment documentation should be appropriately stored for the long term inside the insulated file cabinets in the Archives Room.

## IX. CURATORIAL STAFFING

The Cultural Resources Management Guideline (NPS-28) states that specialists in cultural resources disciplines, such as curation, should assist and advise managers at all levels of the NPS. These specialists must be highly qualified to initiate, coordinate, and supervise collection management programs.

Two occupational series have been identified by OPM for those positions charged with the performance of professional and technical duties related to operating federal museums. The Museum Curator (1015) series is the professional series for positions that include the primary duties of administration and supervision of curatorial work related to collections management, research, and interpretation. The journeyman level (person working independently, without direct supervision) for the Museum Curator position is GS-9 for a park with a small, generalized collection. The Museum Technician/Specialist (1016) series includes positions with technical and specialized duties in connection with the management of museum collections. Museum Aids and Technicians should work under the supervision of a Museum Curator or Specialist.

In the past, the National Park Service has used law enforcement rangers and interpretive rangers, as well as Museum Curators, Specialists, Technicians, and Aids, to manage and care for the museum collections in many parks. Increased awareness within the National Park Service that museum collections are basic park resources deserving and needing specialized, professional attention has resulted in the increased use of staff in the two curatorial series (1015 and 1016) for curatorial duties. Nevertheless, in many small parks collection management duties are assumed by Park Rangers whose primary responsibility is interpretation and resource management. When curatorial responsibilities are collateral duties for a park employee, they must appear in the position description and performance standards of the employee and supervisor.

### CURATORIAL STAFF AT EFFIGY MOUNDS NATIONAL MONUMENT

Rodney Roving, Resource Management Specialist, is in charge of the management and care of the museum collection at EFMO. Chris Harman, Park Ranger (Law Enforcement), has day-to-day responsibility for the museum collection. His responsibilities for the collection are deemed to be a collateral duty. As mentioned in Chapter IV, Museum Protection, Chris is a permanent employee subject-to-furlough, and is a Law Enforcement Commissioned Ranger. In conjunction with his law enforcement duties, he performs resource interpretation and education duties along with public use management duties.

Prior to 1993, the museum record keeping was managed by (b) (6), (b) (7)(C) who was a seasonal employee with responsibility for the collection for a period of five years. Chris Harman assumed collection responsibilities in 1996. Chris has had a limited amount of training in curatorial activities. In 1995 he attended two NPS courses: "Curatorial Methods" and "Archives and Manuscripts Collection Management." He would benefit from attending additional training courses and workshops on both collection management and care in order to perform his duties in a more professional manner. Because of restrictions imposed during the recent visitor center rehabilitation/renovation project, it has only been in the last six-nine months that Chris has had an opportunity to work with the museum records. He is currently working through a "To Do" list which was generated by a curatorial strike team who came to EFMO in August 1996.

Equally important as the development of Chris's curatorial skills is the issue of the time allocation of his duties. Unfortunately, Chris was not able to be at the park during the CMP site visit because

of a scheduling conflict. However, his concerns were conveyed to the contractor in a telephone conversation a few weeks later. Chris's position description includes interpretation, visitor services and resource protection with collections management as a collateral duty. He indicated that depending on the season, the time allocated to interpretation and visitor services can consume much of his time. During heavy visitation periods up to 100% of his time is spent performing these duties, and as a result, little if any time is devoted to resource protection and museum record keeping activities.

A method of redressing this imbalance is the establishment of a written work plan, wherein Chris's time is allocated to realize specific collection management goals on a monthly basis. The results can then be evaluated as part of his performance review. If, as a result of these changes, park management feels it does not have sufficient personnel to staff the visitor center, and additional funding becomes available, the appointment of a seasonal employee should be considered.

#### **RECOMMENDATIONS**

1. Establish a written work plan for the Park Ranger (Law Enforcement), in order to realize specific collection management goals.
2. Provide additional training in preventive conservation and museums records management for the Park Ranger (Law Enforcement) in order to develop his collections management skills.

## X. PLANNING, PROGRAMMING, AND FUNDING

The National Park Service requires a series of planning documents for each park to guide its development and operation. Collection management activities must be integrated into each level of planning to establish them as legitimate and recognized park functions, based on the mandate of the park's enabling legislation and the general NPS legislative authority to collect and preserve objects.

The park Statement for Management, Outline of Planning Requirements, and General Management Plan should all address collection management concerns in a general way, based on the mandate of the park's enabling legislation and the general legislative authority to collect and preserve objects. More specific collection management strategies should be found in the park Cultural Resource Management Plan, Collection Management Plan, and Scope of Collection Statement.

Most importantly, the planning process generates the programming and budgeting documents—Operations Formulation System—that are necessary to accomplish collection management goals. Since FY85 the funding of projects by the Cultural Resource Preservation Funds has required that projects be listed in approved park Resources Management Plans.

### PARK PLANNING AND MANAGEMENT DOCUMENTS

The park's most recent Statement for Management was compiled in 1993. When the next version of the document is prepared, a more comprehensive discussion of the museum collection should be included. Following are proposed items for inclusion:

- a) Purpose, objectives of collection, and number of objects comprising collection.
- b) Approximate percentage of objects on exhibit and in storage, including non-NPS repositories.
- c) Current status of record keeping, including cataloging backlog.
- d) Principal priorities for collection management and care, including possible future acquisitions, storage and exhibition needs, and priorities for conservation treatment and maintenance of collection.

The Resource Management Plan (RMP) identifies and ranks, according to priority, important natural and cultural management problems. The Plan states the problems, identifies alternative solutions and probable impacts, and recommends a course of action. In addition, it restates and further develops problems identified in the Statement for Management, and General Management Plan. All important collection management problems must be identified in the Resource Management Plan. The Outline of Park Requirements lists in priority order the plans and projects identified in the Resource Management Plan.

The park has prepared a number of project statements relevant to the management and care of the museum collection. These were discussed with the Chief of Interpretation, Visitor Services, and Protection during the site visit. FY 97 funding was allocated for the following two projects:

<u>Title</u>	<u>Proposed Project Type</u>	<u>Project Number</u>
Complete Museum Records	Backlog Cataloging	EFMOP97682003
Reimburse and Train VIPS	Volunteers in Parks	EFMOP97612009

With respect to the Backlog Cataloging project, park staff with collateral duty for collections management could work with the contractor to complete specific projects. Based on the findings

contained in this Collection Management Plan, park management should prepare another project statement which would provide justification for a comprehensive review and reconciliation of the museum records, that is, reconciling and organizing the existing records. Regarding the Volunteers in Parks project, park management should consider adding collection care to the tasks with which a volunteer could assist, for example, reorganizing/rehousing the objects in storage. (See recommendations in Chapter VI, Museum Storage.) The VIPS' tasks could be supervised by the Park Ranger (Law Enforcement).

Funding also should be sought for the following project:

<u>Title</u>	<u>Proposed Project Type</u>	<u>Project Number</u>
Convert Nitrate Negatives	Cyclic Maintenance-Curation	EFMOP97432000

### FUNDING AND PROGRAMMING

Funding for curatorial work can come from a variety of sources. Parks with museum collections should have a curatorial program with an adequate operating base of ONPS funds to ensure the minimally accepted level of operation. Both Cultural Resource Preservation Program and Natural Resource Preservation Program funds, as well as other program funds, should be used to bring the collections up-to-standard and to solve special problems as they arise. Other funding sources include the Museum Collection Preservation and Protection Program, Cultural Resource Cyclic Maintenance Program, Harpers Ferry Center Exhibit Repair/Rehabilitation Program, cooperating associations, and private donations.

Following is a description of funding sources which can be used in the foreseeable future to bring management and care of the museum collection up to Service-wide standards and to address specific program issues:

**Cultural Resource Preservation Program (CRPP).** To apply for this fund, parks should first identify specific projects, incorporate them into their Resource Management Plan database, and then forward their project priority lists to the Field Area Office. There are two line-item Collection Management Program Initiatives: Museum Collection Preservation and Protection (MCP) and the Backlog Cataloging Program.

The purpose of the **Museum Collection Preservation and Protection Program (MCP)** is to fund projects that address deficiencies in security and storage of museum collections identified in the Checklist for Preservation, Protection, and Documentation of Museum Property (Revised 1996). Coordination for funding these projects is administered by the National Center for Cultural Resource Stewardship and Partnerships Museum Management Program. A number of deficiencies were identified in the most recently completed checklist. Funding should be sought to address these deficiencies.

The **Backlog Cataloging Program** is administered by the Museum Management Program. The funds are designed solely to eliminate backlogs in cataloging and to improve accountability for NPS museum collections. In addition, the program is designed only to catalog items accessioned before January 1987. A prioritized list of project requests is submitted by the Field Area Office, based on the program's eligibility criteria. As discussed in Chapter III, Museum Records, funding should be sought from the Backlog Cataloging fund to hire a seasonal employee to review the collection of historic black and white photographs, and to ensure that there is a negative on file for each unique image. The park has utilized seasonal employees in the past to address its collections

management needs. Although these employees have done a good job, the lack of continuity has always been a concern. A term appointment or subject-to-furlough position that does not include visitor services responsibilities would improve the overall management of the park's museum collection. Funding also should be sought to address the cataloging backlog of archeological items curated at the Midwest Archeological Center.

**Exhibit Repair/Rehabilitation Program.** The program, which is administered by Harpers Ferry Center (HFC), is for the redesign, repair, and maintenance of museum exhibits, audio-visual installations, way sides, as well as the preservation of exhibited objects. To apply, a memorandum is submitted to HFC through the Field Area Office.

**Conservation Treatment Services at HFC.** Requests can be submitted directly to the Division of Conservation (DOC) for the treatment of objects currently on exhibit or for those that are scheduled to be exhibited in the foreseeable future. The Division of Conservation at HFC will accept Object Treatment Requests (Form 10-252) at anytime during the year. Parks will be charged by the DOC for treatments that are not part of the NPS major rehabilitation program or construction program. The Division of Conservation will estimate the costs of conservation treatment based on the information contained in the OTR. At present, estimates are based on a hourly fee of approximately \$50.

The **Cultural Resources Cyclic Maintenance Program** can fund conservation treatment projects—for both cultural and natural history collections—which would extend beyond a one year cycle. In response to an annual call from the Field Area Office, parks submit project fund requests which are both allocated to and managed by each field area.

**Regular Cyclic Maintenance Program.** Funding from this program is used for the treatment of park resources, wherein the treatment is not related to historic structures and is both cyclic in nature and recurs periodically – but less than annually. In addition, the treatments should be pre-programmed. These projects are funded through a specific cyclic maintenance account administered at the field area level. To request funding, the treatments should be identified in the park's RMP database. Usually curatorial work is not funded through the program; however, it can be for certain projects.

**Park cooperating associations and other organizations** associated directly with the park and its museum collections may submit grant applications to government funding agencies to realize special projects. These agencies include the National Endowment for the Humanities (NEH), the National Endowment for the Arts (NEA), and the National Science Foundation (NSF). Applications also can be submitted to foundations and individuals.

## **RECOMMENDATIONS**

1. Prepare a project statement to complete a comprehensive review and reconciliation of the museum records.
2. Pursue funding for the following project: Convert Nitrate Negatives, EFMOP97432000.
3. Expand the Resource Management Plan to identify and briefly describe the major issues affecting the care and management of the museum collection.

4. Seek funding from park cooperating associations, other organizations, foundations, and individuals to realize special projects.

## XI. CONCLUSION

In summary, a list of this plan's major recommendations is provided below in priority order. It is recommended that park management consult with the System Support Office Curator to arrange up-to-date priorities among the remaining projects in the plan.

### Short Term (within one year)

- Ensure that the visitor center's electronic security system is fully operational. Continue to maintain security measures for access to the Museum Collection Storage Area and for object handling.
- Work with the Ethnographer-Cultural Anthropologist and the Midwest Archeological Center to develop a project statement for a study to resolve the issues relating to the objects which were deaccessioned in 1990.
- Establish a Memorandum of Understanding or similar written agreement with a local fire department for the suppression of structural fires. Similarly, establish a Memorandum of Understanding or similar written agreement with a local law enforcement authority.
- Establish a written work plan for the Park Ranger (Law Enforcement) to realize specific collection management goals.
- Pursue funding for a comprehensive review and reconciliation of the existing museum records. Identify all objects for deaccessioning during this project. Seek advice on the significance and possible future use of the unidentified geological specimens.
- Bring outgoing and incoming loan agreements up-to-date.
- Review unaccessioned objects for possible addition to the museum collection.
- Reduce visible light levels in the Museum. Purchase a light meter to monitor light levels on an ongoing basis.
- Purchase a psychrometer and calibrate the two hygrothermographs on a regular basis. Replace the hygrothermometers in the exhibit cases.
- Through funding from the Cyclic Maintenance Program, retrofit the curved, alcove exhibit case, so that children and disabled persons are better able to see the top row of objects.
- Revise the Scope of Collection Statement based on the recommendations in this plan and the revised guidelines in Chapter 2 of the Museum Handbook, Part I.
- Compile a site-specific collection housekeeping plan. Establish an ongoing collection condition monitoring program.



**Mid Term (within two-three years)**

- Compile a Structural Fire Management Plan. Seek assistance from the Midwest Region Safety Officer in the development of a Project Statement to recover and replace the in-service Halon fire suppression cylinders. Develop the description, justification, and estimated costs sections in consultation with the Safety Officer. The park should cite the 1997 Collection Management Plan that documents this deficiency, noting that Halon is not considered a hazardous material.
- Implement the Crime Prevention and Physical Security Plan.
- Reorganize the Museum Collection Storage Area, particularly the storage cabinets, in order to utilize the space more effectively and efficiently.
- Provide additional training for the Park Ranger (Law Enforcement) to develop his skills in collection care and management.
- Compile a site-specific Emergency Operations Plan for the museum collection. Establish a cache for the storage of equipment and supplies for emergencies and natural disasters.
- Compile a written IPM plan for both the visitor center and the museum collection.
- Evaluate the environmental data collected by the monitoring instruments. Develop specific plans to improve control of temperature and relative humidity in collection areas, if deemed necessary.
- Arrange conservation treatment of the 23 books in the Orr Collection; copying of the nitrate negatives; and the treatment and/or rehousing of the recently cataloged photographic material.

**Long Term (within three-five years)**

- Consider upgrading the exhibit cases in the visitor center lobby.

\* \* \*

As the National Park Service increasingly recognizes that its park museum collections are valuable resources requiring professional management, the level of collections care will continue to be both expanded and refined. The Collection Management Plan is written to assist Effigy Mounds National Monument in bringing its collection to established NPS standards for the preservation and use of the objects in its custody. This plan will need periodic revisions over time in order to address changing needs and issues. As the park continues to upgrade its collection, preservation program, and accountability, the staff is encouraged to consider as resources the Support Office staff, the Museum Management Program, and the Division of Conservation, Harpers Ferry.

## NOTES

### Chapter II: Scope of Collection

1. With the exception of the entomology specimens, the items in this list were accessioned into the museum collection in February 1997.
2. See Orr, Iowa Archeological Reports 1934-1939, 10 vols., ed. Marshall McKusick, Society for American Archeology, Archives of Archeology No. 20, 1963.
3. See Collection Management Report (1996).
4. The Museum Act of 1955 (P.L. 84-127; 69 Stat; 16 USG, Sect. 18[F]) and the 1996 Museum Act Amendment.
5. See Report of Survey, Report No. RS-6290-0-0002, dated 7/16/90.

### Chapter III: Museum Records

1. The latest entry in the Accession Book is number 150.
2. The folder for accession number 144 relates to the park's herbarium collection, and the folder for accession 148 pertains to an outgoing loan to MWAC. These are items that were removed from a vandalized mound, and MWAC asked for an accession number and catalog numbers to process the acquisition but the supporting material was not placed in the folder.
3. Accession folders that are incomplete due to lack of source of accession include: 9, 11, 15, 20, 21, 23, 29, 30, 44, 48, 50, 56, 57, 59-64, 66, 68-70, 87, 89, 94-98, 100, 102, 106, 116-119, 122, 125, 129-132, 146, 147, and 149. A vast majority of the accession folders contain comments noting that a lot of the objects are not cataloged under the new system. This is no longer true. The majority of items in the collection were recataloged using the ANCS program under a backlog cataloging project undertaken by then seasonal ranger, (b) (6), (b) (7)(C). The recataloged numbers need to be annotated in the accession folders and the Accession Book.
4. Catalog numbers 9842-48 inclusive, 9916, and 9917, and all records generated by the contract cataloger have been submitted to the National Catalog in late February 1997. The National Catalog will generate hard copies of the records, which will be added to the green binders. By the time the final version of the Collection Management Plan is received by the park, the recommendation in the text of the Plan will be an accomplishment and measurable outcome of the museum management project. This approach is consistent with the NPS Strategic Plan.
5. Since the time of the site visit, the park has disposed of the duplicate catalog records.
6. The accession numbers of the four outgoing loans to MWAC are 12, 142, 145, and 148.
7. The accession numbers of these incoming loans are 6, 7, 22, 27, 32, 40, 96, 132, 138, and 139. Some of the loans—accessions 40 and 132—may actually have been gifts that were incorrectly identified as loans. Accession numbers 6, 7, 32, and 96 are noted as being on indefinite loan. Accessions 22 and 27 have been returned to the lenders.

## Notes to Pages 14-32

### Chapter IV: Museum Protection

1. See Museum Handbook, Part I, Appendix G:8-9.

### Chapter V: Museum Environment

1. See Museum Handbook, Part I, Chapter 4:13-14.
2. To select an appropriate low wattage lamp, refer to the major manufacturers' lamp catalogs, for example, GE Lighting, Philips, and Osram/Sylvania. A local distributor of lamps and fixtures normally can provide these catalogs free of charge.
3. The park received Fiscal 1997 funding through the Interpretation Cyclic Maintenance account to correct various deficiencies with the exhibits. The lighting issue will be corrected as part of this project.
4. An acceptable, competitively-priced instrument can be purchased from EXTECH Instruments Corp., (Catalog No. K407025 ), Tel. (617) 890-7440, for approximately \$160.

### Chapter VI: Museum Storage

1. The park received \$4,500 of Fiscal 1997 Museum Collection Preservation and Protection (MCP) funding to purchase shelving for the Ellison Orr Library Collection.
2. Storage of Natural History Collections: Ideas and Practical Solutions, edited by C. Rose and A. Torres, is available from the Society for the Preservation of Natural History Collections, c/o Julia Golden, Department of Geology, University of Iowa, Tel. (319) 335-1822.

### Chapter VII: Museum Exhibits

1. Unsealed wood, oil-based paints, rubber-based adhesives, and chemically treated display fabrics, for example, can have an adverse effect on museum objects.

### Chapter VIII: Collection Preservation and Maintenance

1. The telephone number of Gurnee Freeze-Dri Taxidermy is (408) 722-4715.

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## APPENDICES

NATIONAL PARK SERVICE  
CHECKLIST FOR EVALUATING SCOPE OF COLLECTION STATEMENTS

Park: EFFIGY MOUNDS NATIONAL MONUMENT

Draft  Approved  Date: 3/93 (REGIONAL DIRECTOR'S APPROVAL)

Reviewed by: BRIAN RAMER Date: DEC. 1996

- |   | YES   | NO  |
|---|---|---|
| A. Does SOCS have <u>TITLE PAGE</u> ?   | <input checked="" type="checkbox"/>   | <input type="checkbox"/>  |
| 1. Is Title Page format correct?  | A1 <input checked="" type="checkbox"/> (see MHI, 2:6)                         | <input type="checkbox"/>  |
| 2. Does Title Page include all required signatures and dates?   | A2 <input checked="" type="checkbox"/>  | <input type="checkbox"/>  |
| B. Does SOCS have <u>INTRODUCTION SECTION</u> ?   | <input checked="" type="checkbox"/>   | <input type="checkbox"/>  |
| 1. Is purpose of SOCS stated?   | B1 <input checked="" type="checkbox"/>  | <input type="checkbox"/>  |
| 2. Is NPS legal mandate (5 basic laws) to acquire and preserve museum objects cited?  | B2 <input checked="" type="checkbox"/> (see MHI, 2:7)                         | <input type="checkbox"/>  |
| 3. a. Is park's mission stated?   | B3a <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| b. Is park's enabling legislation cited?  | B3b <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| c. If applicable, is subsequent park legislation cited?   | B3c <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| 4. If applicable, is there a statement indicating that museum collection is mandated by park's enabling or subsequent legislation?  | B4 <input checked="" type="checkbox"/>  | <input type="checkbox"/>  |
| 5. <u>Park's Interpretive Themes</u> :  |   |   |
| a. Are interpretive themes listed?  | B5a <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| b. Are interpretive periods listed?   | B5b <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| c. If available, are appropriate planning documents (title/date) cited?   | B5c <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| 6. <u>Park's Resource Management Goals and Objectives</u> :   |   |   |
| a. Are pertinent cultural and natural resource management goals and objectives listed?  | B6a <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| b. If available, are appropriate planning documents (title/date) cited?   | B6b <input checked="" type="checkbox"/> (SEE CURRENT DOCUMENTS)               | <input type="checkbox"/>  |
| 7. <u>Mandated Systematic Collections</u> :   |   |   |
| a. Is statement, citing <u>43 CFR 7.13</u> and <u>NPS Management Policies</u> (Dec 88), pp. 5:3-4, made that archeological collections are managed as part of the park's museum collection? | B7a <input checked="" type="checkbox"/>                                       | <input type="checkbox"/>  |
| b. Is statement citing <u>36 CFR 2.5g</u> made relevant to curatorial requirements for natural history specimens collected by approved permits?   | B7b <input checked="" type="checkbox"/> (SEE MHI, 2:8 FOR SUGGESTED WARDEN'S) | <input type="checkbox"/>  |
| 8. Are other laws, regulations, conventions, and special directives relevant to acquisition of museum objects cited?  | B8 <input type="checkbox"/>   | <input checked="" type="checkbox"/> (ALSO SEE MHI, 2:8)         |
| 9. If applicable, are any special park designations (e.g., MAB Reserve, National Historic Landmark, World Heritage Site) that may be pertinent to museum collection cited?                  | B9 <input checked="" type="checkbox"/>  | <input type="checkbox"/> (NATIONAL REGISTER OF HISTORIC PLACES) |
| C. Does SOCS have <u>TYPES OF COLLECTIONS SECTION</u> ?   | <input checked="" type="checkbox"/>   | <input type="checkbox"/>  |
| 1. Is there an introductory statement indicating that Introduction Section states purpose of collection?  | C1 <input checked="" type="checkbox"/>  | <input type="checkbox"/>  |
| 2. Is section divided into two major categories: Natural Resource Collection and Cultural Collection?   | C2 <input checked="" type="checkbox"/>  | <input type="checkbox"/>  |

	<u>YES</u>	<u>NO</u>
<b>3. <u>Natural History Collections Category:</u></b>		
a. If appropriate, is there a statement that park does not collect/maintain natural history collection for its own purposes?	C3a ✓	_____
b. If park collects/maintains a natural history collection is there an introductory paragraph that briefly outlines the purpose of this collection?	C3b ✓	_____
c. Is major category subdivided into disciplines (Biology, Geology, Paleontology) pertinent to park?	C3c ✓	_____
d. Is each discipline subdivided into collecting categories that reflect park's purpose for collection?	C3d ✓	_____
e. Are specific specimen types listed for each collecting category?	C3e ✓	_____
f. If appropriate, under each collecting category:		
1) Is current representation of object types noted?	C3f <sub>1</sub> X	_____
2) Are priorities established to fill identified deficiencies (gaps) in existing collection?	C3f <sub>2</sub> X	_____
3) Are limits (quantities) defined?	C3f <sub>3</sub> X	_____
g. Are there collecting categories for "field records, data, and reports" and "collection permits" (36 CFR 2.5g) under each discipline?	C3g ✓	_____
h. Does paleontology discipline include statement relevant to "uncontrolled surface" collecting?	C3h _____	✓
<b>4. <u>Cultural Collections Category:</u></b>		
a. Does introductory paragraph include statement that describes the purpose of this collection?	C4a ✓	_____
b. Does introductory paragraph state that an object from site or directly associated to person(s) or event(s) commemorated by park is more desirable than a similar object without such primary association?	C4b X -	_____
c. Is major category subdivided into disciplines pertinent to park (Archeology, Ethnology, History)?	C4c ✓	_____
d. Is each discipline subdivided into collecting categories that reflect park's purpose for collection?	C4d ✓	_____
e. Are specific object types listed for each collecting category?	C4e X	_____
f. If appropriate, under each collecting category:		
1) Is current representation of object types noted?	C4f <sub>1</sub> X	_____
2) Are priorities established to fill identified deficiencies (gaps) in existing collection?	C4f <sub>2</sub> X	_____
3) Are limits (quantities) defined?	C4f <sub>3</sub> X	_____
g. Does archeology discipline include collecting categories for "artifacts and specimens" and "associated field records"?	C4g ✓	_____
h. Does archeology discipline include statement relevant to "uncontrolled surface" collecting?	C4h ✓	_____

EXPAND FIRE FLOOR

REPHRASE STATEMENT IN INTRODUCTORY PARAGRAPH

EXPAND DISCIPLINE WITH CLEARER OBJECT TYPES & SPECIMEN TYPES



		<u>YES</u>	<u>NO</u>
D.	Does SOCS have <u>ACQUISITION SECTION</u> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	1. Is there a statement describing types of potential acquisition sources?	D1 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. In accordance with NPS-44, Chapter 10, does section state that the acquisition of all firearms and ammunition, except those recovered from field collections, must be reviewed and approved by the regional curator?	D2 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. Is there a statement regarding delegation to Park Superintendent to accept title to and responsibility for museum collections?	D3 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. Does section state that museum objects must be acquired, accessioned, and cataloged in accordance with NPS <u>Museum Handbook</u> , Part II, Museum Records?	D4 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	5. Is there a statement that discourages gifts with limiting conditions?	D5 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	6. Does section include statement that acquisition of objects is governed by park's capability to preserve its museum collection in accordance with NPS <u>Management Policies</u> (Dec 88), <u>NPS-28, Special Directive 80-1</u> , and NPS <u>Museum Handbook</u> , Part I, Museum Collections (Rev. 1990)?	D6 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	7. Does this section outline any park-specific acquisition procedures that supplement NPS policies?	D7 <input type="checkbox"/> N/A	<input type="checkbox"/>
E.	Does SOCS have <u>USES OF COLLECTIONS SECTION</u> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	1. Is there a description of desired and acceptable uses?	E1 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. In accordance with the NPS <u>Management Policies</u> (Dec 88), Chapter 7, page 5, "Interpretation and Native Americans" does section state that park shall not place skeletal or mummified human remains, grave goods or other objects considered sacred on display?	E2 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. Is there a statement regarding conservation as a primary consideration when determining uses?	E3 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. Is there a statement regarding access to museum collection?	E4 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	5. Does section reference NPS-6 relevant to potentially consumptive uses of museum objects?	E5 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	6. Does section reference NPS-28 relevant to research/ destructive analysis of museum objects?	E6 <input type="checkbox"/>	<input type="checkbox"/>
F.	Does SOCS have <u>RESTRICTIONS SECTION</u> ?	<input type="checkbox"/>	<input type="checkbox"/>
	1. Does section state NPS policy relevant to disclosure of information on location, nature, and character of archeological resources?	F1 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. Does section state NPS policy relevant to community consultants may request that some information about religious materials be kept confidential?	F2 <input type="checkbox"/> N/A	<input type="checkbox"/>
	3. If appropriate, is there a statement relevant to the collecting of endangered, threatened, or rare species?	F3 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. Is there a statement regarding use of objects subject to copyright?	F4 <input checked="" type="checkbox"/>	<input type="checkbox"/>
	5. Does section identify any restrictions on disposition or uses of museum collection?	F5 <input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   | <u>YES</u>                              | <u>NO</u>  |
|---|---|--|
| G. Does SOCS have a <u>MANAGEMENT ACTIONS SECTION</u> ?   | <input checked="" type="checkbox"/>     | <input type="checkbox"/>                               |
| 1. Are there statements that require the following:   |   |  |
| a. Biennial review of SOCS?   | G1a <input checked="" type="checkbox"/> | <input type="checkbox"/>                               |
| b. SOCS remain supportive of and consistent with park's mission?  | G1b <input checked="" type="checkbox"/> | <input type="checkbox"/>                               |
| c. Regional Director's approval of any changes to SOCS?   | G1c <input type="checkbox"/> N/A        | <input type="checkbox"/>                               |
| 2. Does section document existence of or need for Collection Management Plan?   | G2 <input checked="" type="checkbox"/>  | <input type="checkbox"/> - CMP N/A<br>ELSE WITHIN SOCS |
| 3. If any collections are located outside the park's boundaries, is brief description of each collection and name and location of each repository identified? | G3 <input type="checkbox"/>             | <input checked="" type="checkbox"/>                    |

H. Comments/Recommendations (If needed, attach additional pages.):

See attached copy of park's  approved or  draft Scope of Collection Statement for editorial comments.

Determine information needed to evaluate questions answered by the phrase "Not Determined."

Revise the draft  approved  SOCS to correct the deficiencies noted in the checklist. Refer to NPS Museum Handbook, Part I, Chapter 2, Section B for guidance on writing a Scope of Collection Statement.

COMMENTS

- A. TABLE OF CONTENTS SHOULD BE RETAINED, BUT ELIMINATE PAGE BETWEEN TITLE PAGE AND TABLE OF CONTENTS
- B. CITE PARK'S <sup>CURRENT</sup> MANAGEMENT + PLANNING DOCUMENTS REGARDING RESOURCE MANAGEMENT GOALS AND OBJECTIVES. RELATE HOW MUSEUM COLLECTION SUPPORTS THE PARK'S RESOURCE MANAGEMENT PROGRAM.
- C. SEEK ASSISTANCE TO ENSURE ALL RELEVANT OBJECTS ARE LISTED ON SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS, AND OBJECTS OF CULTURAL PATRIMONY IN COMPLIANCE WITH NAGPRA.



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# CCI Notes

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9/1

## Recognizing Active Corrosion

### Introduction

Metal corrosion can be active or inactive. Some museum artifacts may be corroded but stable, and are therefore inactive; others may be actively corroding. An important part of preventive maintenance of metals in museum collections is to recognize the early stages of destructive, active corrosion. Few metal artifacts that are uncorroded will remain so. Only noble metals such as gold, platinum and silver will retain a fully metallic or polished surface for a long time.

Inactive corrosion may be recognized as stable oxide layers that slowly form on metal artifacts and protect the underlying surface. These oxide layers may be considered a patina, particularly if they have an aesthetically pleasing appearance. Artificial patinas are often applied to the surfaces of metal objects to protect the artifact and give it a desired appearance. Artificially patinated surfaces on artifacts in museum collections may be found mostly on sculptures, medals, weapons and tools.

By contrast, active corrosion causes a continuing loss of material from the object. Action must be taken to slow down or prevent further deterioration.

Examining a collection to identify corroding metal artifacts can reveal

problems with environmental conditions. Unsuitable relative humidity (RH) or pollutants can provoke many of the corrosion reactions.

Environmental factors that could contribute to active corrosion are discussed under each metal.

Only the metals most commonly found in museum collections will be considered in this note: iron, copper, copper alloys such as brass and bronze, lead, silver, pewter and plated metals.

### Identification

Active corrosion can be identified by a rapid expansion in volume as the metal alters to form a corrosion product. Flaking or powdering of the surface may occur. Any metal artifact surrounded by flakes or by loose powder can be considered actively corroding. Common signs of active corrosion in specific metals are considered below.

### Iron

There is usually more iron in museum collections than other metals. For this reason, and because of its instability, iron objects present a major preservation problem. Although it is not always easy to distinguish between active and inactive corrosion, the following points may help.

*Stable surfaces* on iron are compact, adherent, and vary in colour between blue-black and brown.

*Active corrosion* is commonly found between the metal core of the artifact and its outer corrosion layer. Clear indications of active iron corrosion are shallow conical fragments surrounding an object, depressions on the metal surface, and orange spots in the centre of these depressions.

Particularly active corrosion of iron is recognized by "sweating" or "weeping" – yellow/brown/orange droplets on the metal surface. Sweating or weeping occurs where the RH of the environment in which the iron is housed is unsuitably high (i.e., 70%). At lower levels, 50% RH, the weeping areas will desiccate to produce orange/brown blisters. (For more information on the care and storage of iron, and on composite objects with iron parts, see CCI Notes 9/6, *Care and Cleaning of Iron.*)

#### Copper and Copper Alloys: Brass and Bronze

*Stable surfaces* on copper and copper alloy artifacts are characterized by a wide variety of natural and artificial patinas. Stable patinas on these metals are generally coherent, adherent and smooth; stable corrosion layers, which develop on archaeological copper artifacts, may appear rough and uneven. Stable patinas vary in colour from red, brown, black and blue to shades of green.

*Active corrosion* of copper and copper alloys is characterized by the rapid development of a light-green powder erupting in spots over the surface. This powder may surround an undisturbed object. This type of corrosion is most common on archaeological copper alloys and is known as "bronze disease." As with sweating and weeping, bronze disease occurs where the RH is excessively high (i.e., 70%). The corrosion reaction is progressive and may rapidly cause extensive damage.

Active corrosion on copper and copper alloys may also appear as a loosely adherent powdery layer over the surface, rather than in the form of spots. These corrosion layers may be induced by atmospheric pollutants, most commonly airborne chloride particles (particularly in coastal areas) and acetic acid. Both pollutants produce a green surface layer. Ammonia, as a gaseous pollutant often in window cleaning compounds, produces a bluer corrosion layer.

#### Lead and Pewter

*Stable surfaces* on lead and pewter are generally dark grey, although the colour may also vary from black to brown. The dark surfaces are generally valued as patina.

*Active corrosion* on lead and pewter is characterized by the formation of loosely adherent white powder. The powder may form evenly over the surface but is often concentrated in pinpoint-spots. Powder surrounding an undisturbed object is a clear indication of active corrosion. This white powder is the basic lead carbonate (better known as lead white) and is most commonly induced by the vapours of weak organic acids. The most common sources of these acid vapours in museums are: wooden storage or display units (especially those made of oak), deteriorated cardboard and poor quality paper, and acetic acid (vinegar.)

#### Silver

Silver in museum collections is generally expected to have a white metallic appearance. The black surface tarnish characteristic of silver corrosion is not usually considered to be a patina.

*Tarnish* forms as a dense, compact and adherent layer when silver reacts with sulphide gases. These atmospheric pollutants are found in industrial areas, particularly those close to pulp mills, and are easily detected by their characteristic "rotten egg" smell. The corrosion reaction requires both sulphide gases and atmospheric

humidity to begin. Most damage to silver from tarnishing is the result of the abrasion and polishing required to remove tarnish and repolish the silver. On plated objects, frequent polishing can rapidly remove the silver plating.

#### Plated Metals

Combinations of plated metals common in museum collections are:

- copper and silver;
- copper and gold;
- copper and nickel;
- copper and tin;
- iron and tin;
- iron and chromium (usually with copper and/or nickel in between);
- iron and nickel (usually with a copper "flash" in between, hence the green corrosion in the pits); and
- cupronickel and silver.

Metal platings present special problems and are particularly subject to corrosion. Two dissimilar metals in contact present ideal conditions for galvanic corrosion, which requires only an electrolyte (i.e., a salt and atmospheric moisture) to start a reaction. In examining plated metal objects it is often difficult to identify either the metal plating or the underlying metal.

*Stable surfaces*, particularly gold, silver, nickel and chromium, often retain their original bright metallic appearance when kept under appropriate environmental conditions, although the shine may be obscured by dust or dirt (see CCI Notes 9/3, *The Cleaning, Polishing and Protection of Brass and Copper Objects.*)

*Active corrosion* on plated metals manifests itself in various ways. It is most often found in areas where the object has been damaged or has defective plating. The plating usually lifts as the corrosion products expand. This lifting can be seen, for instance, on the chrome fittings of automobiles. Corrosion products from the underlying metal may also occur on top of the plating – often in the form of a compact corrosion layer.

Pitting also occurs on plated objects when the plating is perforated with corrosion products growing from a pit in the underlying metal.

All active corrosion on plated metals, is accompanied by an expansion in volume, which leads to loose powder around the object, or to pustules of more coherent corrosion products on the surface.

### **Routine Inspection**

Regularly inspecting museum objects is a vital part of collections management. Because many corrosion reactions act quickly, metal artifacts should be inspected monthly. Deterioration can then be noted at an early stage and preventive measures taken before damage becomes severe.

### **Further Reading**

U.S. Department of Commerce and the National Bureau of Standards. *Corrosion and Metal Artifacts - A Dialogue between Conservators and Archaeologists and Conservation Scientists*. N.B.S. Special publication 479. Washington: U.S. Government Printing Office, July 1977.

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by the Staff of the  
Archaeology Laboratory

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Copies are also available in French

Texte également publié en version  
française

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September 1989

Appendix C

U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT

Fiscal Year: 1996  
Park: EPNS  
Center: \_\_\_\_\_

TOTAL COLLECTION SUMMARY FOR PREVIOUS YEAR (1995)

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
A. Objects Cataloged	8,417	29	52	885	650	0	0	10,033
B. Catalog Backlog	0	0	0	2,851	0	0	0	2,851
C. Total Collection	8,417	29	52	3,740	650	0	0	12,880

II. COLLECTION SUMMARY FOR FISCAL YEAR

A. ACCESSIONS

	Gifts	Exchanges	Purchases	Field Collections	Transfers	Incoming Loans	TOTAL
1. Obj. Accessioned	3	0	0	5,226	0	0	5,227

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
2. Obj. Accessioned	0	1	0	4,223	0	0	1,003	5,227

B. DEACCESSIONS

	Exchanges	Transfers	Losses	Thefts	Loan Return	NAGPRA	Other	TOTAL
1. Obj. Deaccessioned	0	0	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
2. Obj. Deaccessioned	0	0	0	0	0	0	0	0

C. CATALOGING

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
1. Objects Cataloged	0	0	0	0	0	0	0	0

D. USE OF COLLECTIONS

1. Total Number of Outgoing Loans	2. Total Number of Objects in Outgoing Loans	3. Total Objects in Exhibits	4. Total Number of Research Requests within Park	5. Total Number of Research Requests from Outside Park
5	197	223	10	2

III. TOTAL COLLECTION SUMMARY FOR ALL YEARS

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
A. Objects Cataloged	8,417	29	52	885	650	0	0	10,033
B. Catalog Backlog	0	1	0	7,074	0	0	1,003	8,078
C. Total Collection	8,417	30	52	7,959	650	0	1,003	18,115

IV. NOTEWORTHY ACCESSIONS, DEACCESSIONS, & OTHER (Attach a separate sheet if necessary)

The archive backlog numbers include 2851 items cataloged by contractor Jeffrey Dawson in January 1997 (utilizing 1996 funding). The June 1997 archive backlog is 223 items which are accession number 149. This accession contains 5 linear feet of black and white and color photographs depicting archaeological digs and park development and history prior to 1987. In addition there are 23 reel to reel tapes presumed to be oral histories. These items were accessioned as a field collection in January 1997. = 1 unit

1 unit  
1/1/97  
1/1/97  
1/1/97

The geology backlog was accessioned and lot cataloged in January 1997. = 1 unit

10/1/97  
23 reels accessioned and included

V. FORM COMPLETION INFORMATION

Form Completed By: Mardi Sutt-Arce Chief Ranger 319 873 3491 01/31/97  
(Name) (Title) (Phone) (Date)

Approval: Donna Kalvela (acting superintendent)  
(Superintendent for Park Reports)

U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT

Fiscal Year: 1996  
Park: EFMO  
Center: MWAC

. TOTAL COLLECTION SUMMARY FOR PREVIOUS YEAR ( 1995 )

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
A. Objects Cataloged	16	0	0	94	0	0	0	110
B. Catalog Backlog	0	0	0	1,305	0	0	0	1,305
C. Total Collection	16	0	0	1,399	0	0	0	1,415

I. COLLECTION SUMMARY FOR FISCAL YEAR

. ACCESSIONS [Loans from park received during reporting period]

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
2. Obj Accessioned	0	0	0	0	0	0	0	0

. DEACCESSIONS [Collections Returned to park or other repository]

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
2. Obj Deaccessioned	0	0	0	0	0	0	0	0

. CATALOGING

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
1. Objects Cataloged	0	0	0	0	0	0	0	0

II. TOTAL COLLECTION SUMMARY FOR ALL YEARS

	Archeology	Ethnology	History	Archives	Biology	Paleontology	Geology	TOTAL
A. Objects Cataloged	16	0	0	94	0	0	0	110
B. Catalog Backlog	0	0	0	1,305	0	0	0	1,305
C. Total Collection	16	0	0	1,399	0	0	0	1,415

V. NOTEWORTHY ACCESSIONS, DEACCESSIONS, & OTHER (Attach a separate sheet if necessary)

\*\*No comments\*\*

. FORM COMPLETION INFORMATION

Form Completed By: Jan Dial-Jones Archeologist 402-437-5392 .01/21/97  
(Name) (Title) (Phone) (Date)

Approval: Mark Lynott  
(Manager for Center or Repository Reports)

Form 10-94 (Rev. 3/96)

Author: Mark Lynott at NP-MWAC

Date: 8/9/00 12:01 PM

Normal

TO: Tom Thiessen, Jan Dial-Jones, Bob Nickel

CC: Michael Evans at NPS

Subject: EFMO

----- Message Contents

I recieved a call from Phyllis Ewing, Superintendent, Effigy Mounds NM. Last week, a woman brought a box of human bones to the park. She said she found them while cleaning out th ehouse of her deceased parents. The bones were in paper bags labeled Effigy Mounds #57. Park records indicate this is one of the mounds near the visitor center, and it was excavated in the early 1950s. Ms. Ewing wanted to know if she is required to send the material to MWAC, and I told her no. I also told her about the disappearance of all the other human remains from the park collections. I encouraged her to contact Mike Evans at NAGPRA coordinator for MWR.



H18



# United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, Iowa 52146-7519

IN REPLY REFER TO:

November 10, 1999

## Memorandum

To: Files

From: Chief Ranger

Subject: Museum Inventory

This memo is intended to serve as a reference regarding museum inventories during the last seven years.

- 1992 Seasonal Park Ranger (b) (6), (b) (7)(C) completed a random sample inventory
- 1993 (b) (6), (b) (7)(C) transferred to the Administration Division. No inventory completed by another member of the Chief Ranger's staff.
- 1994 No inventory was completed.
- 1995 Visitor Center rehabilitation project. Park received permission not to complete an inventory because the collection was inaccessible due to the project.
- 1996 In August a "Curatorial Strike Team" visited the park and completed several projects. Park Ranger Chris Harman worked with the team and completed an inventory of the entire collection. Harman was to follow up and look for any items missing from the inventory. No random sample inventory was completed.
- 1997 Chris Harman continued to look for missing items. No random sample inventory was completed.
- 1998 Chris Harman continued looking for missing items. He submitted a list of 76 missing items. The Chief Ranger decided a more thorough complete inventory needed to be accomplished and received permission from the Regional Curator to delay the random sample inventory until January 1999 when students from Luther College wanted to work as volunteers.
- 1999 Students from Luther College volunteered for 45 hours and accomplished approximately ½ of the inventory in January. Park staff worked during February to complete the remaining cabinets. Once the entire collection had been inventoried the random sample was completed and submitted. (b) (6), (b) (7)(C) spent several hours reconciling discrepancies that were found. Park staff spent a total of 70 hours completing this project. (While the artifact cabinets, herbarium, and file cabinets were completely inventoried, the photography collection was not part of the project. Since all of the photographs were cataloged in 1996 and 1997 we felt it was not necessary.)



When the complete inventory was finished only 17 items were actually missing. Attached is a listing of those items. It is believed 5 of the items can be found with some further investigation. Eleven of the items are recommended for deaccessioning.

*Mardi Butt-Arce*

Mardi Butt-Arce

attachment



#8866- Book recommend another search

~~#9018- Book recommend another search~~

#7042 – point believe it is in museum

#7084 – blade/pot mix up, see notes to file, (b) (6), (b) (7)(C) binder

#4141 – bone tool, should be in C7 D4, missing now, but found by CH in 1996

#4156 – bone, should be in C7 D4, missing now, but found by CH in 1996

Summary:

#307 – charcoal sample, *location not given on catalog record, plastic bag with charred soil and charcoal. Catalog record mentions that it may have been excavated from a mounds under the direction of Garland Gordon but then lists the item as part of Accession 2. It could not have come from Acc. 2 and then been excavated under the direction of Gordon.*

#330 – sherd should be in C4, D6, *was not found on either inventory, DEACCESSION*

#1141 – points, *missing now, but found by CH in 1996 (four points, were not found in the cases in 06/85 when Robert Peterson did the previous complete inventory; not sure how there were found in 1996 as Peterson notes in accession record – Acc. 76 – that the catalog number was not affixed to the pieces). If they were located in 1996, no effort was made to indicate which items they were. These four points are only items in Accession 76.*

#835 – stone tool, should be in C1 D6, *was not found on either inventory, DEACCESSION*

#6572 – bassword, should be in C10 D2, *was used for interpretation, DEACCESSION*

#1350-52 – teeth, should be in C7 D4, *was not found on either inventory, DEACCESSION*

#1382-84 – points, should be in C7 D4, *was not found on either inventory, DEACCESSION*

#5419 – bones, should be in C7 D8, *was not found on either inventory, DEACCESSION*

#5513 – Bone, should be in C7 D8, *was not found on either inventory, DEACCESSION*

#5661 – bones, should be in C7 D8, *was not found on either inventory, DEACCESSION*

#9639 – flake, should be in C9 D6, *was not found on either inventory, DEACCESSION*

#6016 – knife, should be in C10 D3, *was not found on either inventory, DEACCESSION*

#9429 – herbarium specimen, *was not found on either inventory, horsetail from Canada, not collected by Orr but taken from the Fern Bulletin, DEACCESSION*



Jan Dial-Jones  
09/03/1997 12:41 PM

To: Jeff Richner  
CC:  
Subject: NAGPRA

*You might want to have this for your reference file as the archeologist for the park. C.*

Forward Header

---

Subject: NAGPRA  
Author: Michelle Watson at NP-MWRO  
Date: 7/24/97 3:34 PM

Mike:

I spoke with Kate Miller at EFMO today regarding the use of the NAGPRA funds we had left in our general consultation account. She will be able to use the balance in that account (all 6,000 plus or minus) to continue NAGPRA consultation efforts at the park.

Kate, as a Cultural Resource Specialist, has kept abreast of NAGPRA. However, she stated that she has never directly handled NAGPRA matters. Therefore, she will rely upon our combined expertise and experience to assist her.

In the coming weeks, Kate will be making time to review the park NAGPRA files and decide how to proceed with the consultation process. She welcomed my thoughts (by e:mail). Therefore, I'm preparing to provide her with a few notes about the issues you and I are already aware of regarding NAGPRA issues at EFMO. Please review the following information and provide me with your thoughts. I will compile our combined thoughts and provide her with an informal note by cc:mail. We are not providing Kate with recommendations. We are only providing her with something she would like to have, that is, a brief informal note containing our thoughts about NAGPRA issues at EFMO. Kate is evaluating how best to proceed with NAGPRA consultation, and welcomes our thoughts.

For example, it is presumed, based on available information and documentation, that the human remains and bundle burial are prehistoric. Additionally, it is assumed, for the same reasons, including others, that the summary objects are prehistoric as well. The archeological designations of Oneota, Woodland, and Effigy Mounds Culture pose potential problems in that it can only be speculated as to who (exactly) these cultures are related to in contemporary terms. As you and I discussed some time ago, a study of these designations, in relation to EFMO, is in order.

Additionally, some of the summary objects have a probable archeological designation listed as Oneota complex on the NAGPRA Summary of 1993. The Oneota complex can be associated with the ancestors of several historic groups, among them the Chiwere-speaking Sioux and the Winnebago of Wisconsin (Thames and Hudson 1995). Thus, in addition to the Sac & Fox and Winnebago, maybe a division of the Sioux should also be consulted with, especially in light of the fact

that Kate is already indirectly aware that a Siouan group is inquiring after specific objects in EFMO collections. This was brought to her attention by the Winnebago Tribe of Nebraska during informal discussions.

Another issue to be looked at is the terms of loan items that were listed on the NAGPRA summary of 1993. If possible, it should be known the exact terms of any existing loan agreements for items that have the potential to be deaccessioned and repatriated.

Additionally, Kate stated the need for a cultural affiliation study. I will recommend that the park put together a proposal for a cultural affiliation study for the next FY. It would have been nice to have such a study done in FY98, but the park did not submit a proposal.

I also spoke with Carolyn Wallingford very briefly regarding the "lost accessions" issue of some time ago. She suggested that I obtain a copy of the Approved Collections Management Plan for 1997, and Curatorial Team Trip Report. I have requested both from Kate. Both of these documents identify that EFMO needs to resolve some of the record keeping and inventory inconsistencies. The Trip Report also made solid recommendations regarding this issue. In light of the fact that EFMO has tribes inquiring after objects that are supposed to be in park collections, but cannot be located, EFMO will need to address this issue soon, in order to best and fully comply with NAGPRA. Kate already expressed her embarrassment and discontent about not being able to locate certain collection items that American Indians have recently inquired about.

Kate was pleased that I had contacted her for several reasons:

1. Kate realizes the importance of picking-up where Karen left-off as soon as possible regarding NAGPRA consultation and was interested in tapping into our combined expertise, experience, and assistance.
2. Kate has had recent visits from the Winnebago for reasons of viewing collections.
3. Kate has recently heard indirectly that a Sioux group is interested in certain objects in their collections.
4. Kate recently discovered that certain collections objects cannot be readily located.
5. Kate has had recent dialogue with a professional at Luther College who has volunteered to provide assistance to the park by somehow systematically attempting to resolve some of the record keeping and inventory inconsistencies. This sounds great to me in light of the fact that she has already discovered that certain objects which are supposed to be in their collections cannot be readily located.

In sum, and in follow-up to my conversation with Kate, I'd like to provide a few thoughts to EFMO regarding NAGPRA consultation. What are your thoughts?

Michelle



Review Log No.

January 24, 1997  
Issue Date

February 7, 1997  
Due Date

To: Superintendent, Effigy Mounds, (copy forwarded by Curator)  
 Superintendent, Great Plains  
 Attention: Team Manager, Education and Visitor Services  
 Attention: Team Manager, Stewardship and Partnerships  
 Attention: Team Manager, Administration  
 Attention: Curator, Great Plains System Support Office  
 Chief, Midwest Archeological Center,  
 Attention: Regional Archeologist (see Carolyn if you need a copy)  
 Assistant Field Director, Finance and Human Resources  
 Assistant Field Director, Public Affairs  
 Assistant Field Director, Natural Sciences  
 Equal Employment Officer  
 Public Health Coordinator

Subject: **Notice to Review**  
 Draft Collection Management Plan,  
**Effigy Mounds National Monument**

The subject document has been submitted for:

- Management or full Regional review (requiring Field Director approval).
- Technical review (technical advice of professionals or subject matter experts is necessary).
- Informational (for comments or suggestions).

This document is located in the review room on the fourth floor for your critical review, comments, or recommendations.

This document has been submitted by the Great Plains SSO Curator, for our information, review, and consideration. Comments will be consolidated and forwarded to Carolyn Wallingford.

/S/ Al Hutchings  
 Assistant Field Director, Planning, Legislation, and WASO Coordination

\*\*\*\*\*do not detach\*\*\*\*\*  
**Return to:** Regional Review Coordinator Nene McManus, Midwest Field Area;  
 comments are to be sent via cc:Mail. Contact Nene at 402-221-3082 if you have  
 questions regarding this document.

REV-EFMO.4

**Review Acknowledgement:**

The appropriate divisions and/or disciplines have reviewed the subject document and submit the indicated response.

Comments enclosed or  
 forwarded via cc:Mail \_\_\_\_\_ No comment \_\_\_\_\_

\_\_\_\_\_  
 Signature Park Date

57

Midwest Archeological Center comments on the Draft Collection Management Plan, Effigy Mounds National Monument, REV-EFMO.4:

Page 11, Paragraph 1, Lines 193-203

The park is not currently working with the Midwest Archeological Center to resolve issues relating to the 1990 deaccessioned human remains (line 200). At this time, there appear to be two such unresolved issues, as discussed below.

1. A study of the human remains in the park collections at EFMO was conducted in 1986 by the Office of the State Archeologist, University of Iowa under purchase order PX 6115-6-0166 (Fisher and Schermer n.d.). Some of the human remains included in that study had been collected from sites within the park, while other remains in the study had been collected from sites outside the park. Upon completion of the study, the report indicates that the remains from outside the park were to be reinterred in a state cemetery, while the remains from sites inside the park would be returned to the National Park Service. It is unclear whether any of the latter human remains are still included in park collections.

2. While actual human remains were apparently removed from park accessions in 1990, are any associated grave goods still included in those accessions? Any such items would now be defined as "unassociated funerary objects" in NAGPRA terms if the human remains are no longer at the park.

We recommend that the park develop a project statement to fund a study to resolve these issues. The project should be conducted by a professionally qualified archeologist per the requirements of 36 CFR 61. It should also involve a review of all primary field documentation relating to those collections, relevant accession and deaccession records, and park correspondence files, together with the objects remaining in those accessions. The project should be coordinated with the Regional Ethnographer-Cultural Anthropologist.

Page 12, Lines 222-223

For consistency with our comments regarding Page 11, Paragraph 1, we suggest that this sentence be revised to read "Work with the Ethnographer-Cultural Anthropologist and the Midwest Archeological Center to develop a project statement for a study to resolve issues relating to the objects which were deaccessioned in 1990."

Page 23, Lines 438-440

The example loan cited in this sentence may refer to the human

remains which were loaned to the Office of the State Archeologist for study in 1986. It is our understanding that at least a portion of those materials were reburied by the State (see comments regarding Page 11, Paragraph 1).

#### References Cited

Fisher, Alton K., and Shirley J. Schermer  
n.d. The Analysis of Human Skeletal Remains from the Museum Collection at Effigy Mounds National Monument. Manuscript on file, Midwest Archeological Center, Lincoln, Nebraska.

Additional MWAC comments on the Draft Collection Management Plan, EFMO:

The Ellison Orr Collection at the park is briefly described on page 3 of the draft plan, and the need for conservation treatment of several books in the Orr Collection is mentioned on pages 54 and 57. It would also be appropriate in the plan to reference the published microcard version of at least a portion of the Orr materials (Orr 1963). While microcard technology is now obsolete, the park should nevertheless consider the acquisition of this publication, if it is not already available in the park. Perhaps the microcards could be converted to the more widely available/useable microfiche format. The microcard version could serve as a working copy or finding aid which would reduce the "wear and tear" on the original. The microcard version would also need to be compared against the original to determine exactly which books, etc. have been reproduced, if this information is not already known.

#### Reference Cited

Orr, E.

1963 Iowa Archaeological Reports 1934-1939. 10 vols. Edited, with evaluation and index, by Marshall McKusick. Society for American Archaeology, Archives of Archaeology No. 20 (microcard publication).

Jan Dial-Jones  
February 27, 1997

A2623 (GPSO-CR)

SEP 13 1996

## Memorandum

To: Superintendent, Great Plains System Support Office

Through: Team Manager, Stewardship and Partnerships,  
Great Plains System Support Office

From: Carolyn Wallingford, Curator, Stewardship and  
Partnerships Team, Great Plains System Support Office

Subject: Trip report, Effigy Mounds, August 20-23

PURPOSE: To conduct an inventory of the park's museum collection in storage and on exhibit, and to evaluate several unprocessed boxes of papers in conjunction with the current system of archives and administrative records management. There are approximately 10,000 objects in the park's museum collection located onsite.

DISCUSSION: At the request of the park, a curatorial strike team was assembled to assist with several museum collections related projects, and provide recommendations to use as a checklist for prioritizing and planning curation tasks.

I served as the project leader, and was assisted by Jefferson NEM Archivist Laura Mills, and Harry S Truman Museum Technician Scott R. Stone. This project served as a training opportunity for Park Ranger/Law Enforcement Officer Chris Harman, who recently assumed collateral duty responsibilities for managing the collections. We used standard procedures for conducting an inventory as provided in the "Museum Handbook," part II, chapter 4. Two software programs were used for this project: version 2.01, Automated Inventory Program; and the Automated National Catalog System (ANCS)

The project began Tuesday morning, August 20, with an orientation to the renovated Visitor Center, the Museum Gallery, and the

collection storage area provided by Chief Park Ranger Mardi Butt-Arce. In order to accomplish our goals, we divided into teams to conduct a 100 percent collection inventory, and to organize the archives, and to assess the administrative records.

ARCHIVES: We determined that the park archive is made up of two collections neither of which is in the original order and therefore cannot be considered an "organic collection," (Refer to the "Museum Handbook," part II). The Ellison Orr collections comprise both personal papers and photographs. The collections are recorded in the accession book as two separate entries and are housed in archival materials and stored in a fire resistant file cabinet.

The collection is more than adequately catalogued, however, due to various storage requirements and locations, a means of cross reference needs to be made of the papers, the photographs, the books, and any related museum objects. This can be accomplished by preparing an inventory of accession related collection items with the corresponding storage location information.

There is a small cellulose nitrate negative collection properly housed in the freezer compartment in the archives room. Many of the images are part of the Orr collection, accession number two; and are one-of-a-kind photo-documents. A handwritten inventory of the negatives was located on a shelf, although as time permits, a complete typewritten inventory listing all the negatives should be prepared, signed, and dated. The typescript inventory can be stored in the locked fire resistant file cabinet with the accession book.

At the time of the site visit, I recommended that the archives room continue as a dedicated collections area that should remain locked with access limited to authorized staff accompanied by the collections manager. It was also suggested that while the negatives are stable in the freezer environment they are not readily accessible for research purposes or educational programming. I spoke with Superintendent Gustin about other Great Plains Cluster parks which have nitrate negatives and recommended a consolidated project statement to reformat all Great Plains Cluster nitrate negatives in the next budget call. This approach would address the need to preserve and protect the images in a compatible, stable format. Technical assistance is available upon request in drafting a consolidated project statement for FY 98.

The remainder of the records are parks administrative records. These papers were stored in a file cabinet, but are not yet organized. The curation team estimated there are 14 linear feet of park administrative records (approximately 7 boxes at 2 cubic feet). As time permits, these papers should be sorted into a series determined by the park staff. Active administrative records should continue to be managed in accordance with the NPS 19 disposition schedule.

There are numerous archeological reports and associated materials that can be grouped together by site number, year, or by principal investigator, and then proceed to catalog each group as one collection. Survey maps can be cataloged as one collection or individually, and then arranged in a variety of ways by principal investigator, or by date. For example, to organize by date, establish an arbitrary starting year date as "0" and a cut off date at 1989. Proceed to catalog the materials that fall within this time period (0-1989) into the ANCS as collection 1: part one. It is not necessary to assign individual catalog numbers, think in terms of a collection. There is one exception to this method: maps, drawings, and photographs can be approached as individual items.

Park administrative records can be organized chronologically or topically as follows: Office of Superintendent, Maintenance Records, Park Planning Records, and so forth. If a document is found among these broad categories relating to the museum collection, it should be filed in the appropriate accession file.

LIBRARY: The Orr library is housed in archival quality folders, labeled, and stored on wood shelving padded with polyethylene foam. At an earlier date, a conservator assessed the library and determined that some books required conservation treatment. Those books are identified with an orange marker line along the folder spine. Several large leather bound books were stored on a shelf in the archives room awaiting conservation treatment.

The library should be inventoried, and a system for checking books out of the library needs to be established. As the books are unpacked and re-shelved, a simple shelf inventory can be completed. Entering the library into Pro-Cite will provide another system of accountability, and create a cross-reference identifying books

from the Orr collection. A sign out sheet for staff members borrowing books should be sufficient for managing the library at this time.

In consultation with Jefferson NEM librarian Tom Dewey, any books that are part of the Orr donation should be considered a special collection, and housed apart from the general library. This procedure will not require a separate library room, only a designated shelf or bank of shelves. The books can be placed in the library inventory or as part of the archival collection with special instructions on the location of the collection. With a small staff and equally small collection, a shelf list and inventory would establish an adequate level of accountability and make the collection accessible.

**INVENTORY COMPONENT:** The Automated Inventory Program was installed on the dedicated curatorial, stand alone computer located on the lower level of the visitor center and adjacent to the enclosed, secured museum storage area.

Scott and Chris inventoried the herbarium collection, artifacts on exhibits in the visitor center museum gallery, and several museum storage cabinets. Upon completion of the archives component, Laura and I assisted with an item level inventory. We used the ANCS printout as a guide and to record all discrepancies. When an item was not in its recorded location, a red mark was made on the computer printout. The printouts can be used as checklist for Chris to reconcile the museum inventory. Some objects may be found in the temporary exhibit, or on a loan to Luther College, or located elsewhere in the park. These anomalies should be resolved as soon as possible to determine if a theft may have occurred during the visitor center renovation.

Scott provided a brief training session for Chris on ANCS and database (dBASE). This included how to find catalog records in both applications, how to add and modify records, and how to search and list data using dBASE. A tutorial copy was provided to Chris for future use.

The park also requested assistance to resolve some questions relating to a previous deaccessioning procedure. Due to time constraints to complete the inventory, I was unable to pursue these questions during my site visit. However, when I return to the



park in mid-November to conduct a site visit for a collection management plan I will followup on this line of inquiry.

Meanwhile, the park is encouraged to contact the team participants at anytime with questions concerning the inventory results or for archives technical support. We sincerely appreciate the park staff's efforts to provide equipment, and answer questions during this project. Chris fully and enthusiastically participated in this collaborative project and provided an excellent interpretive program on the Fire Point trail late Thursday afternoon.

Please extend our gratitude to your entire staff for their efforts, and hospitality during our site visit. A special thanks to Administrative Officer (b) (6), (b) (7)(C) who agreed to meet with us during her (b) (6), (b) (7)(C) leave. (b) (6), (b) (7)(C) is to be commended for capably managing the collection. The archives, catalog data, and storage conditions are in very good shape thanks to her dedication and curation support.

/s/ Carolyn Wallingford

Cleared for distribution:

/s/ Shirley Petersen

09/13/96

\_\_\_\_\_  
Superintendent, Great Plains System Support Office

\_\_\_\_\_  
Date

cc:

Superintendent, Effigy Mounds

bcc:

Unit Manager, GPSSO

GLSO-Curator

HSTR-Curator

JEFF-Curator

MWAC-Collections Manager

Cwallingford:sst:09/12/96; c:ofc:wpwin:sue:cw:efmo



THE UNIVERSITY OF IOWA



MAR 11 1996

March 8, 1996

Karen Gustin, Superintendent  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, IA 52146

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	JS
<input type="checkbox"/> Chief, I, VS & P	
<input type="checkbox"/> Chief, Maint.	
<input type="checkbox"/> Admin. Mgr.	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Admin. Clerk	

Dear Ms. Gustin:

I enjoyed meeting you yesterday. As you requested, I have enclosed copies of various correspondence concerning our analysis of the human remains from Effigy Mounds National Monument in 1986 and 1987, as well as a copy of the loan form with James David's signature acknowledging the receipt of the remains we were to return to Effigy Mounds, dated May 1, 1987. I have included copies of the inventories of the accessions that were returned. I looked through a number of files but could not find correspondence that the remains we returned to EMNM were transferred to Lincoln. I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the National Park Service did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln.

I hope this information will be helpful. Please call if you have any questions about the enclosed material.

Sincerely,

Shirley J. Schermer  
Burials Program Director

10



Jan Dial-Jones  
02/09/1996 10:36 AM

To: Karen Gustin  
cc: Michael J Evans, Michelle Watson, Jeff Richner, Vergil Noble, Mark  
Lynott  
Subject: NAGPRA materials from EFMO

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan

Jeff Richner

01/29/1996 01:30 PM

To: Karen Gustin

cc: Mark Lynott, Vergil Noble, Michelle Watson  
Subject: EFMO purchase orders

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner



- efmo.

[19] From: Jeff Richner at NP-MWAC 1/29/96 1:30PM (7029 bytes: 1 ln, 1 fl)  
To: Karen Gustin at NP--MWR  
cc: Mark Lynott, Vergil Noble, Michelle Watson  
Subject: [REDACTED]

----- Message Contents -----

Text item 1:

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

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I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

2  
Where is the material?

- 1- At Park?
- 2- Or did the park rid itself of before NAGPRA?

Repat/memo says non-park collection  
Would be repatriated.  
Maybe they were reburied



# United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146-9744

IN REPLY REFER TO:

H22 (EFMO)

July 28, 1995

## Memorandum

To: Chief, Midwest Archaeological Center

From: Superintendent, Effigy Mounds NM

Subject: NAGPRA Inventory

This memo is to inform you that we have searched our museum collection and have found no other human remains or associated funerary objects. The only items from Effigy Mounds are the bundle burial and incomplete set of human remains currently housed at MWAC.

*Karen Gustin*

Karen Gustin

(14)



# United States Department of the Interior

NATIONAL PARK SERVICE  
Midwest Archeological Center  
Federal Building, Room 474  
100 Centennial Mall North  
Lincoln, Nebraska 68508-3873

AREA DESTROYED	
TO	NOV 10 1994
<input checked="" type="checkbox"/>	Superintendent
<input checked="" type="checkbox"/>	Cred. VS & FLY
<input type="checkbox"/>	Chief Arch.
<input type="checkbox"/>	Admin. Inct.
<input type="checkbox"/>	Res. Mgr.
<input type="checkbox"/>	Admin. Clerk
<input type="checkbox"/>	
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<input type="checkbox"/>	

IN REPLY REFER TO:

November 10, 1994

H2217 (MWAC)

## Memorandum

To: Superintendent, Effigy Mounds National Monument

From: Acting Assistant Regional Director,  
Anthropology/Archaeology

Subject: NAGPRA inventories of human remains and associated  
funerary goods

As you will recall, Acting Regional Director Given last March 21 approved a plan for inventorying human remains and associated funerary objects in Midwest Region park museum collections, as required by the Native American Graves Protection and Repatriation Act (NAGPRA). The process outlined in that plan called for several sequential tasks to be completed, the first two of which were to be conducted by the Midwest Archeological Center. These have now been completed and your receipt of this memorandum constitutes completion of the third task.

Section 5 of the law directs that inventories shall be simple itemized lists that summarize information about the geographical origin, cultural affiliation, and basic facts surrounding the acquisition and accession of listed items. Section 7(a)(4) explains that cultural affiliation, if determinable, should be based upon geographical, kinship, biological, archeological, linguistic, folklore, oral tradition, historic evidence, or other information or expert opinion. The deadline set for completion of these inventories is November 16, 1995; the law makes no provision for extension of this deadline for Federal agencies. Section 2(3)(A) of the law presents a definition of associated funerary objects. "Human remains," while not formally defined in NAGPRA, may be regarded as any physical remains of human bodies such as bone, ashes, hair, and mummified soft tissue.

According to the Regional inventory plan, the first tasks to be completed involve searching for human remains and associated funerary objects in both Automated National Catalogue System (ANCS)-cataloged and non-ANCS-cataloged collections from your park that are housed at the Center. Those tasks have been completed by John Andresen and Michelle Watson of this office.



Enclosed is an inventory that lists those items for your park that are housed at the Center. This relates primarily to a secondary burial excavated in 1957 and donated to that park, and a small number of bone fragments incidentally recovered during investigation of a looter's damage to a mound in the Sny-Magill group. The cultural affiliation of these materials, in terms of historic tribal groups, is unknown. The information is presented according to a draft format suggested by the Washington Office. Because the inventory format exists only in draft form at present, it is subject to change. However, this information should allow you to begin compiling and assembling further information to complete the inventory by adding information about collections housed in the park or elsewhere (e.g., deposited with a university that previously conducted archeological investigations in the park).

The Center completed these lists in part by utilizing computer disk copies of ANCS records of museum collection objects in Midwest Region park collections that are housed at the Center. Each park's ANCS file was examined for occurrences of human remains and associated funerary objects.

All records with a human remains code were sorted and printed out, and lists were made of their within-site locations. A special Center program produced a list of object names and classification codes that was used for visual-manual inspections as a double-check on the computer search procedure.

Specific locations within sites yielding objects identified as human remains were the focus of the next stage of the project. The computer search continued on all within-site locations containing human remains in order to reveal what non-human objects might be associated with them. Some of these were associated funerary objects whose complete ANCS entries required thorough review. Both computer-based and hard copy searches were used in a final examination of the records of potential associated funerary objects and to assemble NAGPRA lists for park collections housed at the Center as of the end of September 1994.

For collections not yet cataloged into the ANCS format, we made inquiries of the Center's archeological staff to learn of any park-specific information pertaining to NAGPRA-relevant human remains and associated funerary objects. When such materials were identified by our archeologists, the collections and associated records and literature were then reviewed to further identify the items.

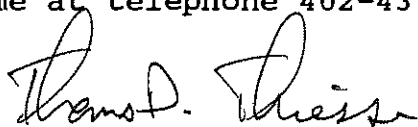
The results of these searches (ANCS records, inquiry of archeological staff and review of archeological project records) are enclosed for your information. These lists should be supplemented by systematically searching ANCS and non-ANCS records for collections in your park and/or at other repositories.

Please note that whether or not cultural affiliation has been established for inventoried materials will have an important bearing on how inventories and listed materials are to be treated in the future. According to Section 5(d) of NAGPRA, human remains and objects for which cultural affiliation has been established are treated differently from those remains and objects for which no cultural affiliation can be established at present. For those inventoried items for which cultural affiliation has been established, affiliated American Indian tribes must be given notice of completed inventories within six months of their completion, in no instance later than six months following the completion deadline of November 16, 1995. The proposed NAGPRA regulations, while still only in draft form, stipulate that the Departmental Consulting Archeologist will publish notices of inventory completion in the *Federal Register*. Enclosed is an example of an inventory completion notice that has already been published. When your NAGPRA inventory is complete, a similar notice should be drafted and provided to this office for transmittal to the Departmental Consulting Archeologist. This should be done in time for the published notice to appear no later than six months following November 16, 1995, or earlier. Also, NAGPRA requires that inventories be developed in consultation with affiliated American Indian tribes. Consequently, it is appropriate to consult with appropriate tribes before inventories are completed and keep them informed of the progress of the inventory effort.

For those inventoried items for which cultural affiliation cannot be established, the law gives the NAGPRA Review Committee responsibility for formulating regulations to govern their ultimate disposition. The Review Committee will consider this matter at its formal meeting to be held later this month. We will forward further information on this when it becomes available.

Thank you for your continuing cooperation. We anticipate that the Washington Office will call for information to be incorporated into a Servicewide NAGPRA inventory, similar to the Servicewide Summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony that was prepared last year. At this time we do not know the exact format for this information but we will let you know of Washington's call when we learn of it.

If you have any questions about completing this phase of NAGPRA compliance, or if we can provide further assistance, please contact me at telephone 402-437-5392.



Thomas D. Thiessen

Enclosures

## cc:

Associate Regional Director, Planning and Resource  
Preservation, Midwest Region  
Assistant Regional Director, Anthropology/Archeology  
Regional Chief, Cultural Resource Management, Midwest Region  
Acting Regional Curator, Midwest Region  
C. Wallingford, Museum Technician, Operations, Midwest  
Region  
Regional Archeologist, Midwest Archeological Center  
Acting Regional Ethnographer, Midwest Archeological Center  
M. Watson, Midwest Archeological Center

Park: Effigy Mounds NM  
Item Name: bone, human  
Item Count: about 94 whole and fragmentary bones, some are wrapped and some are plaster jacketed  
Description: bundle burial  
Geographic Affiliation: Marquette-Yellow River Mound Group No. 2/Clayton County, Iowa/S15, T95N, R3W  
Cultural Identity: undetermined  
Date, Period: undetermined  
Identified by: Robert Nickel, Supervisory Archeologist (15SEPT1994)  
Notes: The bundle is on loan to MWAC. MWAC accession no. 35, EFMO accession no. 12, EFMO catalog no. 9916. The Accession Receiving Report lists one bundle burial excavated from a conical mound in the "Devils Den Mound Group". It also mentions the Marquette-Yellow River Mound Group No. 2 and gives the site number as 13CT50. Because of research conducted by (b) (6), (b) (7)(C) at EFMO during October, 1994, and through corresponded with Mr. Robert Bray, the "Devils Den Mound Group", also known as Marquette-Yellow River Mound Group No. 2, on the bluffs between Marquette and Yellow River has been confirmed as the site from which the burial was removed. The field notes state that the bundle burial was excavated on June 10, 1957, by Robert (Bob) Bray, Ralph Blackwell, Robert Kile, and Dave(?) Thompson, and that it was excavated on the land of Milo Moody of McGregor, Iowa. The "bone bundle was jacketed with a plaster cast and removed to the monument headquarters," where it was displayed in the park for awhile. It was accessioned on June 20, 1957, as a gift from Milo Moody, and subsequently was transported to MWAC circa July of 1973 where it remains today.



Park: Effigy Mounds NM  
Item Name: bone, human  
Item Count: about 94 whole and fragmentary bones, some are wrapped and some are plaster jacketed  
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Park: Effigy Mounds NM  
Item Name: bone, human  
Item Count: 15 fragments  
Description: bone fragments all in good condition; full adults; two vertebra; the remainder appear to be portions of ribs  
Geographic Affiliation: Sny-McGill Mound Group, a detached unit consisting of about 80 mounds  
Cultural Identity: undetermined  
Date, Period: undetermined  
Identified by: Robert Nickel, Supervisory Archeologist (15SEPT1994)  
Notes: Site no. 13CT18; MWAC accession no. 569; EFMO accession no. 147; EFMO catalog no. 9917. Dale Henning, assisted by Tim Mason, a member of Effigy Mounds staff, was contracted to repair vandal damage to Mound 43 of the Sny Magill Unit, Effigy Mounds NM (purchase order 6115-1-0076 (1991)). The park accessioned these remains in October of 1994. See report by Dale R. Henning (1991) titled Archeological Evaluation of Damage to Mound 43 Sny Magill Unit Effigy Mounds NM, Iowa, on file at MWAC library.

covered. The order of the agenda may be changed, if necessary, to accommodate travel schedules or for other reasons.

The business meeting will be open to the public. Space and facilities to accommodate members of the public are limited and persons will be accommodated on a first-come, first-served basis. Anyone may file with the Board a written statement concerning matters to be discussed. The Chairman may also permit attendees to address the Board, but may restrict the length of presentations as necessary to allow the Board to complete its agenda within the allotted time.

Persons wishing further information concerning the meeting, or who wish to submit written statements, may contact Shirley S. Smith, Office of Policy, National Park Service, P.O. Box 32127, Washington, DC 20013-7127 (telephone 800-248-4030). More specific information on potential National Historic Landmarks may be obtained from Acting Chief Historian Benjamin Levy, History Division, National Park Service (telephone 203-843-8164) at the above post office box address.

Draft minutes of the meeting will be available for public inspection about 12 weeks after the meeting, in Room 1220, Main Interior Building, 1649 C Street, NW, Washington, DC.

Bureau Form,

Acting Deputy Director.

(FR Doc. 94-18565 Filed 7-29-94; 8:45 am)

BUMS CODE 0110-70-F

**Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from Hancock County, ME, in the Control of the National Park Service.**

AGENCY: National Park Service, Interior

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003(d), of completion of the inventory of human remains and associated funerary objects from a site in Hancock County, ME, that are presently in the control of the National Park Service.

A detailed inventory and assessment of these human remains has been made by National Park Service curatorial staff, contracted specialists in physical anthropology and prehistoric archeology, and representatives of the Penobscot Nation, Aroostook Band of Micmac, Houlton Band of Maliseet, and the Passamaquoddy Nation, identified

collectively hereafter as the Wabanaki Tribes of Maine.

The partial remains of at least seven individuals (including five adults, one subadult, and one child) were recovered in 1977 from a single grave at the Fernald Point Site (ME Site 43-24), a prehistoric shell midden on Mount Desert Island, within the boundary of Acadia National Park. A bone harpoon head, a modified beaver tooth, and several animal and fish bone fragments were found associated with the eight individuals. Radiocarbon assays indicate the burial site dates between 1035-1155 AD. The human remains and associated funerary objects have been catalogued as ACAD-5747, 5749, 5750, 5751, 5752, 5783, 5784. The partial remains of an eighth individual (an elderly male) was also recovered in 1977 from a second grave at the Fernald Point Site. No associated funerary objects were recovered with this individual. Radiocarbon assays indicate the second burial site dates between 480-680 AD. The human remains have been catalogued as ACAD-5748. The human remains and associated funerary objects of all nine individuals are currently in the possession of the University of Maine, Orono, ME.

Inventory of the human remains and associated funerary objects and review of the accompanying documentation indicates that no known individuals were identifiable. A representative of the Wabanaki Tribes of Maine has identified the Acadia National Park area as a historic gathering place for his people and stated his belief that there exists a relationship of shared group identity between these individuals and the Wabanaki Tribes of Maine. The Prehistoric Subcommittee of the Maine State Historic Preservation Office's Archaeological Advisory Committee has found it reasonable to trace a shared group identity from the Late Prehistoric Period (1000-1500 AD) inhabitants of Maine as an undivided whole to the four modern Indian tribes known collectively as the Wabanaki Tribes of Maine on the basis of geographic proximity; survivals of stone, ceramic and perishable material culture skills; and probable linguistic continuity across the Late Prehistoric/Contact Period boundary. In a 1979 article, Dr. David Sanger, the archeologist who conducted the 1977 excavations at the Fernald Point Site and uncovered the abovementioned burials, recognizes a relationship between Maine sites dating to the Ceramic Period (2,000 B.P. - 1600 A.D.) and present-day Algonkian speakers generally known as Abenakis, including the Micmac, Maliseet,

Passamaquoddy, Penobscot, Kennebec, and Pennacook groups.

Based on the above mentioned information, officials of the National Park Service have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these human remains and associated funerary objects and the Wabanaki Tribes of Maine.

This notice has been sent to officials of the Wabanaki Tribes of Maine. Representatives of any other Indian tribe which believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Len Bobinchock, Acting Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, ME 04609, telephone: (207) 288-0374, before August 31, 1994. Repatriation of these human remains and associated funerary objects to the Wabanaki Tribes of Maine may begin after that date if no additional claimants come forward.

Dated: July 21, 1994

Francis P. McManamon, Ph.D.

Departmental Consulting Archeologist,

Chief, Archeological Assistance Division

(FR Doc. 94-18588 Filed 7-29-94; 8:45 am)

BUMS CODE 4310-70-F

## INTERSTATE COMMERCE COMMISSION

[Docket No. AB-167 (Sub-No. 1139)]

**Consolidated Rail Corporation—Abandonment—Between Corry and Meadville, in Erie and Crawford Counties, PA**

The Commission has issued a certificate authorizing Consolidated Rail Corporation (Conrail) to abandon a line of railroad known as the Meadville Line, between milepost 60.5 in Corry, and milepost 102.3 in Meadville, a distance of approximately 41.8 miles, in Erie and Crawford Counties, PA. The abandonment was granted subject to: (1) the condition that Conrail keep intact all of the right-of-way underlying the track, including bridges, trestles, culverts, and tunnels, and retain the line intact and not sell any portion thereof, for a period of 180 days from the effective date of the decision to enable any State or local government agency or other interested person to negotiate the acquisition of the right-of-way for public use; (2) the condition that Conrail retain its interest in and take no steps to alter the historic integrity of the Meadville Line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f; and (3) the employee



AREA DISTRIBUTION	
Superintendent	2
Chief, LVS&P	1
Chief, West	1
Admin. Tech.	
Rec. Mgr.	
Admin. Clerk	

## MEMORANDUM OF TELEPHONE CALL

July 20, 1994

To: Tom Thiessen, Acting Regional Ethnographer

From: Friday Wiles, Acting Superintendent, EFMO

Subject: Upcoming visit by Wisconsin Winnebagos

Friday called to seek help in handling a visit to EFMO by Wisconsin Winnebagos on Friday, July 22. She said that the same individual, Ms. Funmaker, who called several months ago on behalf of the Wisconsin Winnebago Tribe, called again to say that tribal representatives (presumably at least herself) will visit EFMO this coming Friday to see the place. In her conversation, Ms. Funmaker referred to the tribe's recent purchase of 600 acre-tract containing a mound group in Wisconsin. In her earlier contact with the park, Ms. Funmaker suggested that the tribe might claim EFMO, presumably under NAGPRA.

I told Friday that I did not think that the language in NAGPRA allowed repatriation claims for land, and suggested that she review the information I sent to Tom Munson several months ago about Indian Claims Commission decisions about Sac and Fox claims to the EFMO region. The Commission evidently ruled in favor of a Winnebago claim to land east of the Mississippi. Friday said she will call MWRO to advise the Acting Regional Director of the situation. I also suggested to Friday that she show the tribal representatives whatever they wanted to see, let the park interpreters treat them as they would any other visitors, and if the subject of a NAGPRA claim to EFMO came up, advise the tribe to state its claim (and the basis for the claim) in writing to either the Superintendent, EFMO, or the Regional Director. I also suggested that it would be good if Regional Archeologist Mark Lynott or a member of his staff could be present during the visit to handle any questions of an archeological nature regarding possible connections between the Winnebagos and the park's archeological resources. Mark spoke with Friday following my conversation with her.

## copies to:

Superintendent, Effigy Mounds National Monument  
 Acting Regional Director, Midwest Region  
 Associate Regional Director, Planning and Resource  
 Preservation, Midwest Region  
 Regional Chief, Cultural Resource Management, Midwest Region  
 Tom Thompson, Native American Affairs Coordinator, Midwest Region  
 Assistant Regional Director, Anthropology/Archeology  
 Regional Archeologist, Midwest Archeological Center

To: MWRO Regional Director at NP-MWRO, MWAC Superintendent (Tom Thiessen) at  
NP--MWR

Subject: Wisconsin Winnebago visit to Effigy Mounds

----- Message Contents -----

Effigy Mounds will receive a visit on Friday, July 22, from the Wisconsin Winnebagos. A Ms. Anna Funmaker, who has contacted us earlier, will arrive on Friday for a site visit. At this time we are not entirely sure what her site visit will encompass.

From past telephone discussions with Ms. Funmaker, she has expressed an interest in the land of Effigy Mounds National Monument. In her phone call today, she made mention of the lands the Winnebagos purchased in Wisconsin. Based on this comment and earlier comments - I feel she is making a site visit to look at the land.

I have discussed the visit with NAGPRA Coordinator Thomas Thiessen and Chief MWR Archeologist Mark Lynott.

When the visit is completed, I will pass on a full report. At this time we will show Ms. Funmaker and her guest the collection and give her the same guided tour we would give any visitor. Should you feel that a more complete tour of the Monument would be in order, please so advise. Should the issue of the land repatriation be brought up, I will ask that any such claim be put in writing and addressed to the Regional Director, Midwest Region.

Friday Wiles, Acting Superintendent

TO: Friday Wiles, Acting Superintendent

From: Dennis Lenzendorf, Seasonal Ranger

Date: July 22, 1994

Re: Visit from Wisconsin Winnebago Representative

A woman identified herself as representing the Wisconsin Winnebago tribe joined my guided 11:30 Fire Point hike. She did not tell me her name but during the hike we did discuss issue relative to the Winnebago tribe buying land in the Muscoda, Wisconsin area to establish a heritage park. She said she was visiting the monument today to get ideas for their park. She did shoot several pictures during the hike of the mounds. She was very cordial and volunteered stories about what compound mounds mean to the Winnebago of Wisconsin. She said that Winnebagos used the mounds during battles as fortifications since so many groups attacked the Winnebago people.

She also talked about Winnebago burial practices when the group was at the little bear mound. Due to the size of my group I was not able to talk with her in more detail. I took my group toward Fire Point, while this Native American woman and her female white companion continued on to see the great bear mound. She told me she was a member of the bear clan of the Winnebago. She thanked me for the tour and I intended to talk with her at the end of my Fire Point tour but unfortunately they had returned to their car at the visitor center and left before I returned.

She did not identify herself at the Information Desk but I believe she saw the film but not sure if she visited the museum. No archive viewing was requested or given.

*Report sent  
to Reg. Dir. T. Thiessen  
and M. Lynott, MWAC  
F. Wiles  
7/22*

(15)



# United States Department of the Interior

TAKE PRIDE IN AMERICA

NATIONAL PARK SERVICE  
Midwest Region  
1709 Jackson Street  
Omaha, Nebraska 68102-2571

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Superintendent	MM
Chief, LVS & P	
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APR 04 1994

MAR 31 1994

IN REPLY REFER TO:

H24 (MWR-D)  
H22

Memorandum

To: Superintendents, Midwest Region

From: Acting Regional Director, Midwest Region

Subject: Plan for inventorying human remains and associated funerary objects in park museum collections

As you know, the Native American Graves Protection and Repatriation Act (NAGPRA) stipulates a November 16, 1995, date for completing inventories of human remains and associated funerary objects that are in our museum collections. Because this date is fast approaching, we have prepared the enclosed plan to initiate and guide the inventory process. The plan will serve to 1) provide timeline mileposts against which the progress of the inventory effort can be measured; 2) describe the nature of the process and identify the parties who will complete the inventory effort; and 3) identify the FTE and fiscal resources we believe will be necessary to complete the inventories.

The law requires that the inventory be an itemized list of remains and objects, which is different from the general summaries of unassociated funerary objects, sacred objects, and objects of cultural patrimony that you prepared last year. Many of our parks do not have human remains and associated funerary objects in their collections; for these, it will be relatively easy to review collections and document the absence of such materials. For other parks, the inventory will require considerable effort to identify relevant materials that are housed in the park, at the Midwest Archeological Center, and possibly at other museums and institutions. Please review your collections to determine if human remains and associated funerary objects are present or absent. If they are not present in your collections, please document your review and negative finding by sending a memorandum to this effect to the attention of the Acting Regional Ethnographer at the Midwest Archeological Center. If such materials are present in your collections, please prepare to inventory them in accordance with the enclosed plan. We will seek FTE and funds from the Washington Office for the inventory effort, and will inform you of any forthcoming resources to assist you with the inventory for your park.

It is important that these inventories be completed by November 16, 1995, so that consultations with Indian tribes can be initiated following that date, as required by NAGPRA. Thank you for your help in this effort.

Please direct any questions to Tom Thiessen, Acting Regional Ethnographer, at telephone 402-437-5392.

*William W. Thiessen*

Enclosure



Dr. Fisher is providing \$5000 this year for curatorial work. The park will hire a temporary Museum Technician to begin work on our curatorial records with NAGPRA related records and objects having a first priority. However with the requirements of NAGPRA and the condition of our records, we estimate it will take almost two years to complete all related NAGPRA documentation. We will need 1 FTE and \$30,000 per fiscal year in 1995 and 1996 to cover salary, materials and supplies, consultation and training costs. Earlier this year we requested \$20,800 to cover NAGPRA related costs for this fiscal year. However no word has been received on our request and even with funding, FTE will be needed.

Tom Thiessen has initiated a 10-238 requesting a cultural affiliation study be conducted to determine which, if any, of the modern tribes may be affiliated culturally with the Hopewell. This is a very important aspect of the NAGPRA legislation as it lays the foundation for required and future relations with modern tribal groups. It is very important this be funded in FY 95.

It is essential that we receive both funding and FTE if we are to meet the November 16, 1995 deadline. Funding is needed for consultation with tribal groups; curatorial, record keeping and inventory work; study of the skeletal material; and completion of a cultural affiliation study. In support of these activities, the park must receive at least one additional FTE each year. Time is of the essence.

If there are any questions, please call me at (614) 774-1126.



John P. Neal

cc: Dr. Abby Sue Fisher, Regional Museum Specialist  
Tom Thiessen, Acting Regional Ethnographer, MWAC

MIDWEST REGION  
NATIONAL PARK SERVICE

PLAN FOR INVENTORYING HUMAN REMAINS  
AND ASSOCIATED FUNERARY OBJECTS  
IN PARK MUSEUM COLLECTIONS

Prepared by: Thomas D. Theissen Date 3/11/94  
Acting Regional Ethnographer, Midwest Region

Concurred by: Marjory Dyett Date 3/14/94  
Acting Chief, Midwest Archeological Center

Concurred by: AMM FISHER Date 3/17/94  
Acting Regional Curator, Midwest Region

Approved by: David W. Orr Date 3/21/94  
Acting Regional Director, Midwest Region



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## INTRODUCTION

The following plan has been developed to facilitate the Midwest Region's compliance with the requirements of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA; 25 USC 3003) to inventory and repatriate to Indian tribes human remains and associated funerary objects that are in Midwest Region park museum collections. The plan outlines a multi-step procedure to inventory to inventory such items, and to notify tribes of the completed inventories and consult with them concerning repatriation of items to the tribes and/or lineal descendants. It assigns responsibility for certain activities to the Midwest Archeological Center, the Regional Ethnographer, and the parks, and outlines a time-frame in which these activities are to take place. The law requires inventories to be completed no later than November 16, 1995.

## REQUIREMENTS OF THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT:

Section 5 of NAGPRA requires Federal agencies and museums that receive Federal assistance to inventory all human remains and associated funerary objects in their possession or control. The law defines "inventory" as "a simple itemized list that summarizes the information called for by this section" (Section 5(e)). The law (Section 5(a)) further directs that such inventories shall identify the geographical and cultural affiliation of listed items. The deadline set for completion of these inventories is November 16, 1995; the law makes no provision for extension of this deadline for Federal agencies. Within six months of the completion of each inventory, Indian tribes affiliated with items on the inventory shall be notified. Such notice must include information which a) identifies each Native American human remains and associated funerary object(s), if any, and the circumstances surrounding their acquisition; b) lists the human remains and associated funerary objects that are clearly identifiable as to tribal origin; and c) lists the Native American human remains and associated funerary objects that are not clearly identifiable as being culturally affiliated with specific Indian tribes, but which are reasonably believed to be culturally affiliated with specific Indian tribes (see Section 5(d)). Such notices are to be provided to the Secretary of the Interior, who will publish them in the *Federal Register*.

Following those actions (notification of the tribes and publication of the notice), the repatriation procedures set forth in Section 7 of the Act are to be followed. If requested by known lineal descendants or culturally affiliated tribes, human remains and associated funerary objects are to be expeditiously returned. If the cultural affiliation of requested human remains and associated funerary artifacts is not clearly known, such items will be expeditiously returned to the requesting tribe if

that tribe "can show cultural affiliation by a preponderance of the evidence based upon geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion" (Section 7(a)(4)). The place and manner of delivery of returned items is to be determined through consultation with the involved Native American parties (Section 7(a)(3)). When multiple requests for items occur, and the holding agency cannot determine which requesting party is the most appropriate claimant, the agency may retain the items until the requesting parties agree upon their disposition or until the matter is settled by litigation (Section 7(e)).

Section 8 of the Act authorizes the Secretary of the Interior to establish a seven-person committee to "monitor and review the implementation of the inventory and identification process and repatriation activities." One of the purposes of this committee is to review and make recommendations relating to the identity or cultural affiliation of human remains and associated funerary objects, as well as unassociated funerary objects, sacred objects, and objects of cultural patrimony; and the return of such items to requesting parties. Consequently, if a requesting lineal descendant or Indian tribe and a Federal agency or museum disagree as to the cultural affiliation of requested items and/or their return to the requesting party, either party to the disagreement can ask the committee to review and make recommendations upon the matter.

The committee is also charged with the responsibility to compile an inventory of culturally unidentifiable human remains that are held by Federal agencies and museums and recommend a process for the disposition of such materials. No recommendations in this regard have yet been made, however.

NAGPRA (Section 5(b)(2) and Section 7(d)) requires information regarding inventoried items to be shared with known lineal descendants and Indian tribes in order to help them establish claims to the items. This includes summaries of museum or other pertinent records, inventories or catalogs, relevant studies, and "other pertinent data for the limited purpose of determining the geographical origin, cultural affiliation, and basic facts surrounding acquisition and accession of Native American human remains and associated funerary objects" (Section 5(b)(2)). Inasmuch as inventories of human remains and associated funerary objects are to be completed in consultation with tribal government officials and traditional religious leaders (Section 5(b)(1)(A)), it is appropriate to share information both before and after completion of inventories.

While not yet finalized and adopted, proposed regulations pertaining to certain aspects of NAGPRA were published in the Federal Register on May 28, 1993, and provide useful interim

guidance on certain questions and procedures until the final regulations will be published.

#### PURPOSE OF THIS PLAN:

The purpose of this plan is to identify and schedule tasks that must be undertaken to complete inventories of human remains and associated funerary objects for Midwest Region parks. It will also establish responsibility for carrying out identified tasks which must be conducted by different parties because the museum collections from many individual parks are actually located in several places, i.e., at the parks, at the Midwest Archeological Center, and/or at non-National Park Service museums and institutions. By identifying these tasks, positing target dates for their completion, and identifying appropriate parties to carry them out, the plan will serve to coordinate these activities and provide a means to measure the Region's compliance with NAGPRA mandates and the November 16, 1995, deadline for completion of inventories.

The overall responsibility for completing inventories and effecting notification and consultation regarding them lies with the superintendents of Midwest Region parks, though some parts of the inventory and notification process will be assisted by the Regional Ethnographer and the staff of the Midwest Archeological Center, as explained below.

Although the collection records for all Midwest Region parks will be systematically examined for human remains and associated funerary objects, parks with an especially high likelihood of having such items in their collections are Voyageurs, Grand Portage, Effigy Mounds, Hopewell Culture, Scotts Bluff/Agate Fossil Beds, and Ozark.

The activities identified in this plan cannot be carried out unless and until the Midwest Region receives funding and FTE for this purpose. It is estimated that .42 FTE and \$26,138 will be needed in Fiscal Year 1994, and 1.0 FTE and \$73,035 (see "Projected Costs" below).

#### TASKS:

The following tasks have been identified and should be carried out in the following order:

1. *Systematic search of museum records at the Midwest Archeological Center*

Many, but not all, of the archeological collections from Midwest Region parks are housed at the Midwest Archeological Center (MWAC), where they typically carry both Center and park accession numbers. Many of these collections have been cataloged

into the Automated National Catalog System (ANCS), but a sizeable backlog of collections from past investigations have yet to be ANCS cataloged, a factor which will complicate the identification of human remains and associated funerary objects in such collections. Also, many collections from recent field work are still in the processing and analytical stages at the Center, and have also not been cataloged. The search of the collections at MWAC will be conducted in two stages.

First stage. The first step toward inventorying the human remains and associated funerary objects in collections at MWAC is to systematically search all existing ANCS records. This will be accomplished by using a custom diagnostics routine to generate a list of unique object names contained in a dBASE version of the ANCS record for each park. This list will then be visually searched for labels that identify human physical remains. In addition, the ANCS database field CLASS3 will be searched for the code which identifies human remains (code 0004). When located, the ANCS information pertaining to located materials, including provenience data, will be extracted and printed in paper form. This information will then be reviewed to identify the site and within-site provenience of human remains, and relevant archeological reports, if any. Field records and relevant reports will be reviewed to identify associated funerary objects. All the information resulting from this search will be listed and summarized in a short verbal narrative. Priority in this search effort will be given to parks that are known or suspected to have human remains in their collections.

Second stage. These lists and narrative summaries will then be provided to the MWAC archeological staff, who will be asked to identify additional human remains and associated funerary objects in other collections at MWAC of which they may be aware from their past experience, but which are not yet ANCS cataloged. These collections and associated records will then be searched for human remains, and field records and relevant studies, if any, will be examined to reveal associated funerary objects. Information resulting from this second stage of searching the collections at MWAC will be integrated into the lists and narrative summaries produced during the first stage of the inventory effort.

Some collections from Midwest Region parks are housed in non-Service museums and institutions, typically those collections that resulted from past investigations contracted by the Service. Such collections were often left in the custody of the contracted museum or institution, although they remain the property of the Federal government. However, because collections in non-Service hands often have not been ANCS cataloged and sometimes do not even carry park accession numbers, it may be difficult to identify all Midwest Region collections in non-Service locations. As part of the second stage of the MWAC search, MWAC

archeologists will be asked to identify non-Service collections of which they are aware. Reports and field records pertaining to these collections will then be searched, and letters will be sent to the non-Service holding institutions to confirm the presence of the collections and request additional information regarding the presence of human remains and associated funerary objects in them.

Consequently, the end result of the MWAC search will be an inventory that provides the following information about human remains and associated funerary objects:

- a. Park of origin or other geographical provenance (including county and state in both instances)
- b. Park and MWAC accession numbers
- c. Specimen catalog number
- d. Identification/description of item
- e. Archeological provenience
- f. Cultural affiliation, if known or suspected
- g. Reference to further information (field records, reports)
- h. Location (park, MWAC, other)

## 2. *Systematic search of museum records at parks*

As the searches (ANCS, inquiry of archeological staff) are completed at MWAC for each park collection, the resulting information will be transmitted to the respective parks, along with a request for park staff to search their ANCS and non-ANCS records and add similar information for relevant items in park and non-Service institutions to the inventory.

## 3. *Documentation of specimens*

Professional study of human remains and associated funerary artifacts identified through the searches described above may be necessary in order to 1) identify or confirm cultural affiliation, or likely cultural affiliation, and 2) provide a record of scientific information about individual specimens before they leave the Service's custody. For archeological specimens, the need for such studies to be conducted should be assessed by the Regional Archeologist; for ethnographic specimens, by the Regional Ethnographer in consultation with the Regional Curator. Techniques of physical anthropological and archeological analysis should be used for these purposes. Only

non-destructive techniques should be utilized so that no physical diminution or damage to the specimens takes place. Such analyses should be completed prior to the November 16, 1995, deadline for inventory completion, as such investigations cannot be regarded as justification to delay the notification and repatriation procedures. Section 5(b)(2) of the Act states that the need to further document collections (beyond the documentation that exists for them at present) does not justify "the initiation of new scientific studies of [human] remains and associated funerary objects or other means of acquiring or preserving additional scientific information from such remains and objects." Items requested to be repatriated may only be retained for research purposes if "such items are indispensable for completion of a specific scientific study, the outcome of which would be of major benefit to the United States" (Section 7(b)).

#### 4. *Assembly of Regionwide and park inventories*

The results of collections searches conducted by MWAC staff and park staff, as described above, will be compiled by the Regional Ethnographer into a single inventory, in a uniform format, for the Midwest Region. The Regionwide inventory will be provided to the Washington Office for integration into the Servicewide inventory. Park-specific inventories, in the same format, will be furnished to the respective parks for their use in consulting with and notifying Indian tribes.

#### 5. *Notification of tribes*

NAGPRA requires that tribes be notified within six months of the completion of inventories. Notices must contain information that 1) "identifies each Native American human remains or associated funerary objects and the circumstances surrounding its acquisition;" 2) "lists the human remains or associated funerary objects that are clearly identifiable as to tribal origin;" and 3) "lists the Native American human remains and associated funerary objects that are not clearly identifiable as being culturally affiliated with that Indian tribe..., but which, given the totality of circumstances surrounding acquisition of the remains or objects, are determined by a reasonable belief to be remains or objects culturally affiliated with the Indian tribe" (Section 5(d)(2)).

Notices of completed inventories will be prepared by the Regional Ethnographer and provided to the respective park superintendents for their use in communicating with the concerned Indian tribes. The Regional Ethnographer will also, through the Regional Director and the Washington Office, provide notices to the Secretary of the Interior for publication in the *Federal Register*, as required by Section 5(d)(3) of the Act.

SCHEDULE

As inventories must be completed by November 16, 1995, a period of considerably less than two years is available to search collection records and compile the inventories. Consequently, the schedule sequence outlined below identifies target dates for completion of general tasks. It should be recognized that there will be some deviance from these target dates due to earlier collection of information for some parks. For example, there is little reason to wait until all collections at MWAC have been inventoried before providing inventory information to parks; if the MWAC inventory data for one park are compiled and ready to be sent to that park while the information for other parks is still being compiled, those data should be provided to the park as soon as possible in order to provide the superintendent as much time as possible to complete his or her portion of the search.

Schedules and target dates for the tasks identified above are identified below.

<u>Task</u>	<u>Begin</u>	<u>Complete</u>
Search MWAC ANCS museum records (first stage)	1 Apr 94	30 Jun 94
Search MWAC non-ANCS records (second stage)	1 Jul 94	30 Aug 94
Compile and provide MWAC inventory data to parks	1 Sep 94	30 Sep 94
Search park museum records	1 Oct 94	31 Dec 94
Document specimens	On-going	30 Sep 95
Assemble Region/park inventories	1 Oct 95	16 Nov 95
Provide notice to tribes (concurrent with <i>Federal Register</i> publication)	Within 6 mo of completion of inventories, but in no instance later than 15 May 96	

RESPONSIBLE PARTIES FOR TASKS

The parties responsible for carrying out the work necessary for the tasks described above are identified below.

<u>Work to be performed</u>	<u>By whom</u>
Search MWAC ANCS museum records	MWAC staff under direction of Regional Ethnographer



Search MWAC non-ANCS records	MWAC staff under direction of Regional Ethnographer
Provide MWAC inventory data to parks	MWAC staff under direction of Regional Ethnographer
Search park museum records	Park staff assisted by MWAC staff under direction of Regional Ethnographer
Document specimens	By contract administered by Regional Archeologist for archeological specimens; or by Regional Ethnographer/Curator for ethnographic specimens; or by MWAC/park staff at suggestion of Regional specialists
Assemble Region/park inventories	MWAC staff under direction of Regional Ethnographer
Provide notice to tribes	Park superintendent
Provide notice to Secretary of the Interior for publication in <i>Federal Register</i>	Regional Ethnographer through Region, WASO

PROJECTED COSTS

For Fiscal Year 1994:

Archeologist GS-193-11		
.42 FTE (April through September)	\$14,558	
Benefits @ 33%	\$ 4,804	
Subtotal		\$19,362
Supporting services (administrative, clerical, analytical) @ 35%		\$ 6,776
Total for FY 1994		\$26,138

For Fiscal Year 1995:

Archeologist GS-193-11		
1.0 FTE (entire year)	\$34,662	
Benefits @ 33%	\$11,438	

March 9, 1994

To: Tom Munson, EFMO  
From: Tom Thiessen, MWAC  
Subject: Indian Claims Commission decisions

After receiving your memo of March 4, I looked for further information at the University of Nebraska-Lincoln library regarding the ICC proceedings that relate to EFMO land. The UNL library has a microfiche publication entitled *Decisions of the Indian Claims Commission 1948-1976*, which appears to be a complete record of the final judgments (sans much supporting documentation) made by the ICC during that period (the ICC went out of existence in 1977). It's kind of awkward to read, as the claims cases are identified by docket numbers and were based on land ceded by specific treaties, called "Royce areas," which generally correspond with the numbered tracts on the map from the ICC's 1978 *Final Report* that I earlier sent to you, so one has to work back and forth between the decision statements, dockets, map references, etc. in order to stay oriented to the discussion. At any rate, the correspondence between map tract numbers, Royce area numbers, docket numbers, and volumes of the *Decisions* microfiche is as follows:

<u>Map tract</u>	<u>Royce area</u>	<u>Docket</u>	<u>Decisions reference</u>
54 (Winnebago)	149, 174, 245 (and others?)	243, 244, 245	V. 8, pp. 78-111 V. 16, pp. 81-159 V. 23, pp. 464-483
56 (Sac/Fox)	175	158	V. 5, pp. 367-455 V. 20, pp. 439-507 V. 22, pp. 439-440 V. 32, pp. 4-6, 256-272
57 (Sac/Fox)	152	143	V. 15, pp. 381-429

There is also a parallel microfiche publication entitled *Expert Testimony Before the Indian Claims Commission*, which, unfortunately, the UNL library does not possess. There is, however, a printed Index to this, which identifies (by docket) the several reports of expert witnesses that were presented during court proceedings. Enclosed is a copy of pages from the Index that identify the expert testimony used for Dockets 143, 158, and 243-245. Also enclosed are copies of part of the report on the Royce areas and selected pages from the Winnebago decision published in volume 23 of the *Decisions* microfiche, as well as some further tabulated information from the ICC *Final Report*.

I scanned the contents of the *Decisions* volumes that relate to the three map tracts above, particularly the information relating to the Winnebago claims. Dockets 243-245 represent three separate Winnebago claims that were adjudicated together because the basis

for all three claims was essentially identical. The settlement awarded the Winnebagos money for Royce areas 149, 174, and part of 245 (except for what is termed the "Menominee overlap"). The land within these three Royce areas is located entirely east of the Mississippi River. However, page 468 of Volume 23 appears to indicate that Docket 243 originally contained other claims as well, including a claim to Royce Area 267 which lies entirely west of the Mississippi and may contain the HQ unit of EFMO (see map in the enclosure from the Royce book). The "Final Judgment" for Dockets 243-245 (see pp. 482-483) awarded the Nebraska and Wisconsin Winnebagos \$4,600,000 "subject to the terms and provisions set forth in the 'Stipulation for Entry of Final Judgment.'" The referenced "Stipulation" (see page 476) states:

3. Entry of final judgment in said amount shall finally dispose of all rights, claims or demands which the plaintiffs and all groups thereof have asserted or could have asserted with respect to the subject matter of these claims, and plaintiffs and groups thereof shall be barred thereby from asserting any such rights, claims or demands against defendant in any other or future action.

Does this mean that the EFMO land was included (in part, at least) in the original Winnebago claim under Docket 243, but for some reason was not included in the settlement that the Winnebagos received? And that in order to receive the settlement, the Winnebagos were required to relinquish all future land claims, including that to Royce area 267? I think legal counsel is needed to answer these questions.

Elsewhere in the *Decisions* microfiche (Volume 8, I think, though I did not record the page), it states that in a Treaty of October 13, 1846, the Winnebagos ceded all their claimed lands "and especially those lands west of the Mississippi River known as the 'neutral ground.'" That is the only mention of the "neutral ground" that I saw in the *Decisions* microfiche, though it is described somewhat in one of the *Palimpsest* articles you listed in your memo. The article by Willard Barrows, entitled "In the Neutral Ground" (Vol. 3(4):106-124, April 1922), describes some personal experiences that Barrows, a surveyor, had on the Neutral Grounds. He briefly summarizes the Neutral Grounds:

The constant broils between the Sac and Foxes and the Sioux, whose lands adjoined, induced the government in 1828 [1830] to cut off a strip of land twenty miles wide on each side of the dividing line between the tribes, making forty miles of territory in width running from the Mississippi River above Prairie du Chien, to the Des Moines, a distance of about one hundred and fifty miles. This strip of land neither party could use for hunting purposes, and was called The Neutral Grounds.

When the Winnebagoes sold their lands in Wisconsin, they were removed to these Neutral Grounds, being at peace with

the Indians on both sides. The Winnebagoes were in possession of these lands at the time our party went on this hunt. (pages 107-108; the hunting trip was made in 1840)

Barrows' configuration of the Neutral Grounds sounds very much like Royce areas 152 and 153, and ICC map tract 57. The Winnebagos appear to have been given the Neutral Grounds in 1832 (see the enclosed pages from the Royce book).

My reading of NAGPRA does not suggest to me that land is repatriable under the terms of the Act, but I am not qualified to make an informed interpretation of the law. However, a local museum curator tells me that the Native American Rights Fund attorney, Walter Echo-Hawk (a major architect of NAGPRA), stated in an oral presentation that land can indeed be claimed under NAGPRA. If you believe the Winnebagos will seriously assert a NAGPRA claim for EFMO, perhaps we should consider asking for a Solicitor's opinion regarding 1) whether land in general is claimable and repatriable under NAGPRA or 2) whether the EFMO land is claimable by the Winnebagos under any other basis of law? If a claim is based on archeological considerations, perhaps Mark Lynott as Regional Archeologist can assist you.

Incidentally, I noted that one of the attorneys for the Ioways in a related docket that was adjudicated with the Sac and Fox claim under Docket 158 was named Thomas L. Munson.

I hope this information is of use. Let me know what I can do to help you further. I will be glad to dig deeper into the ICC records or other library materials. I did not copy much from the *Decisions* microfiche because the documents are lengthy, but I can copy more information if you need it.

Tom

Enclosures (4)



Memorandum of Telephone Conversation

Date: 02/17/94

Time: 2:35 p.m.

Individual Called: Anna Funmaker

Organization Wisconsin Winnebago tribe

Caller: (b) (6), (b) (7)(C)

Phone (715) 284-2290

Topic of Conversation: Native American Graves and Repatriation

**Summary of Conversation:**

On February 17, 1994 a letter was received from Anna Funmaker, co-coordinator of the Ho-Chunk Historic Preservation office of the Wisconsin Winnebago Business Committee.

A follow-up phone conversation with Ms. Funmaker indicated that they are interested in the land and mounds themselves rather than the artifacts. When Ms. Funmaker was asked if she was interested in the items recovered from the mounds and the local area, her response was "We have enough of those".

Ms. Funmaker asked if the mounds at Effigy Mounds National Monument were mounds that were recorded on the T.H. Lewis surveys of the 1800's. When told that they were, she responded, "Well, then those are ours. We were all over the place".

Ms. Funmaker was told that the lands and mounds were presently under federal protection and jurisdiction. She was also told that the historic connection between local tribes and the prehistoric moundbuilders has not been established. To this she responded that "...if they are going to come at us with that, we'll come right back at them".

Ms. Funmaker also indicated that the Winnebago community and her office is waiting for direction on NAGRPA to come from the Winnebago government, not the federal government.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*mailed  
Tom Thieszen  
mwa  
2-18-94* (21)

February 18, 1994

To: Tom Munson, EFMO  
From: Tom Thiessen, MWAC  
Subject: Native American claims to EFMO land

AREA DISTRIBUTION	
TO	INITIAL
Superintendent	MM
Chief, LVS & P	MM
Chief, Maint.	
Admin. Tech.	
Reg. Mgr.	
Admin. Clerk	SL

FEB 22 1994

In follow-up to your telephone call yesterday, enclosed is some information on earlier Native American claims to EFMO land, which were adjudicated and settled by final decisions of the Indian Claims Commission.

Included are two Xerox copies of part of a map of the U.S. on which are shown the boundaries of specific tracts that the ICC determined to be the territory aboriginally occupied by certain Native American tribes. The color on the original map did not reproduce well, so it is a bit difficult to discern the boundaries of some tracts (see my crude highlighting). It appears to me that EFMO is on either tract number 56 or 57, which are both Sac & Fox land. Note that the Winnebago land lies across the Mississippi in tract 54. Tract 55, also east of the river, is also Sac & Fox.

The tract numbers correlate with a "Map Area Index" table in the enclosed "Index to the Map." The table identifies the docket or case numbers of the judicial proceedings which resulted in the ICC decision, so further information can be pursued through that. The "Index," by the way, is a nice capsule history of the ICC.

Also enclosed are copies of pages from another table, the "Alphabetical Index of Indian Claims Commission Cases Through September 1, 1978," which provides more information about the specific court cases relating to the tract decisions depicted on the map.

All of these documents are from the 1978 Final Report of the Indian Claims Commission.

I'm certainly not a lawyer, but the point from all of these appears to me to be the fact that the EFMO land has already been determined to be the aboriginal land of a specific tribe (not the Winnebagos) that has already been compensated for its taking by the U.S. government. It would be interesting to know if the Winnebago land claim originally included EFMO, but if so, the final decision of the ICC drew a smaller boundary for it, partially along the river.

If you want me to try to pursue further details of the Sac & Fox or Winnebago ICC claims, let me know. Some of the information, at least, is probably in the University of Nebraska library here in Lincoln, where I obtained the ICC Final Report.

Good luck. Keep in mind that NAGPRA makes no mention of the repatriation of land.

Tom

MEMORANDUM  
OF CALL

FD-302 (REV. 11-27-70)

To: (b) (6), (b) (7)(C) / Tom H.

YOU WERE CALLED BY  YOU WERE VISITED BY

*Anna Fundmaker*

BY *Disc. Winnebago Tribe*

PLEASE PHONE  TTS  MAILBOX

*715-284-2290*

WILL CALL AGAIN  IS WAITING TO SEE YOU

RETURNED YOUR CALL  WISHED AN APPOINTMENT

REMARKS  
*Would like to know (with of  
time)  
what's in our collection.  
May come down to see - will  
call before she does. Asked about  
bones explained there were none  
in the collection.*

RECEIVED BY *fw* DATE *1/11/94* TIME *12:00*

STANDARD FORM NO. 646 (REV. 6-63)  
GSA GEN. REG. NO. 27

1022 IMPRINTED AMERICAN COPIES AND  
PERMITS (REVISED 10/1979)





*Keep*  
*11-17-97*

UNITED STATES DEPARTMENT OF THE INTERIOR  REPORT OF SURVEY	Sheet <u>1</u> of <u>1</u> Report No. RS-6290-0-0002 Date 7/16/90
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Originating Office and Telephone No. (include area code) Effigy Mounds National Monument Rural Route 1, Box 25A (319) 873- Harpers Ferry, IA 52146 3491	Accountable Office and Location Effigy Mounds National Monument Rural Route 1, Box 25A Harpers Ferry, IA 52146
--	---

The following items are: (check one)  Lost  Stolen  Damaged  Destroyed  Other (specify)

A FULL AND COMPLETE STATEMENT MUST BE ATTACHED OUTLINING CIRCUMSTANCES INVOLVING THE IDENTIFIED PROPERTY.

ITEM NO.	QUANTITY OR PROPERTY NO.	ITEM DESCRIPTION	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE (See Reverse)	ESTIMATED VALUE
		See attached list.			

Accountable Officer Recommended disposition (check one):  Repair/ Reutilization  Sale/ Trade-in  Salvage  Scrap/ Destruction  Abandon  Other (specify)

To the best of my knowledge the attached statement is correct and recommendations are in the best interest of the Government.

Signature of Cognizant Employee	Date	Signature of Custodial Officer	Date	Signature of Accountable Officer	Date
	7/16/90	<i>[Signature]</i>	7/16/90	<i>[Signature]</i>	7/16/90

Board of Survey findings and determinations:  A complete statement of Board findings and determinations is attached.  
 Miscellaneous material that does not fit the scope of Collection Statement for artifact/museum storage at Effigy Mounds NM. Deaccession from collection.

Signature of Board Chairperson:	Date	Signature of Board Member:	Date:	Signature of Board Member:	Date:
<i>[Signature]</i>	7/16/90	<i>[Signature]</i>	7/16/90		7/16/90

Reviewing Authority:  Approved  Returned for technical insufficiency (statement attached)  Disagree with Board (statement attached) Superintendent *[Signature]* 7/16/90

Head of Bureau or Office: (required only for disagreement between Board and Reviewing Authority) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Statement of resolution: \_\_\_\_\_

Certificate of disposition/destruction: I certify that item No. (s) \_\_\_\_\_ listed above has been destroyed

Name of Destroying Official:	Title:	Signature:	Date:

Witness Name:	Title:	Signature:	Date:

Witness Name:	Title:	Signature:	Date:

Adjustment to property records (Property Official Signature):	Date Completed	Adjustment to financial records (Financial Official Signature):	Date Completed

*[Handwritten mark]*

## CONDITION CODES

- 1 = Unused—good
- 2 = Unused—fair
- 3 = Unused—poor
- 4 = Used—good
- 5 = Used—fair
- 6 = Used—poor
- 7 = Repairs required—good (less than 15% of Original Acquisition Cost (OAC) required).
- 8 = Repairs required—fair (16-40% of OAC required).
- 9 = Repairs required—poor (41-65% of OAC required).
- X = Salvage—Repair exceeds 65% of OAC, but parts have remaining value making cannibalization cost effective.
- S = Scrap—there is no remaining value except for basic material content.

Deaccessioned catalog numbers - 7/16/90

Acc. 8

4846	5032	4789	4962	4769	5051	5636	5076
5481	5231	5042	4961	4861	5056	4963	5001
4820	5477	4920	4955	5017	5394	5393	4959
5589	5124	5047	4956	5221	5516	4960	4928
4929	4972	5099	4953	5091	5479	5100	4849
4924	4971	5434	4951	4692	4927	4594	4816
4930	4970	5072	4952	5000	4954	5236	4800
4980	5127	4939	4950	5089	5190	4889	4790
4679	5200	4925	4949	5041	4600	4822	
4593	5227	4715	4947	5090	4870	4817	
5028	5097	5189	4946	5088	5112	4806	
5474	5038	5188	4945	5555	5113	4801	
5475	4788	5707	5105	4606	5114	4884	
5473	4791	5362	5106	5341	5115	4958	
5476	4795	5220	5179	4638	5116	5014	
5482	5153	5239	4659	4592	5117	4878	
5484	4633	5695	5101	4859	5118	5002	
5483	5147	5430	5379	5025	5122	5104	
5478	5021	4885	5102	5034	5119	5109	
5471	5156	4998	5018	5033	4965	5148	
5486	4694	5594	5582	5020	4867	5213	
5121	4981	5520	5187	5019	4964	5558	
5586	5093	5026	5180	5016	4779	5706	
5096	4691	4869	5181	5013	4773	5694	
4966	4685	4696	5132	5012	4776	5317	
5225	4686	5494	5219	4619	5378	5212	
5206	5233	5108	5107	5123	4848	5144	
4940	5232	5427	5103	5480	4847	5111	
5425	5428	5426	4775	5098	4845	5077	

Acc. 16

642	638	1656	648	652	656	
641	637	645	649	653	657	
640	643	646	650	654		
639	644	647	651	655		

Acc. 95

1940 1941

Acc. 132 - 7249, 7331

Acc. 5 - 3929

Acc. 70

4551

Also deaccessioned are uncataloged portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107, 109, 111, and 132.

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U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT

Fiscal Year: 1991  
Park: EFMO  
Center:

**I. TOTAL COLLECTION SUMMARY FROM PREVIOUS YEAR (1990)**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,175	100	0	908	0	220	0	0	9,403
B. Catalog Backlog	-1	0	0	3,000	0	381	800	0	4,180
C. Total Collection	8,174	100	0	3,908	0	601	800	0	13,583

**II. COLLECTION SUMMARY FOR FISCAL YEAR**
**A. ACCESSIONS**

	Gifts	Exchanges	Purchases	Field Collections	Transfers	Incoming Loans	Total
1. Objects Accessioned	0	0	0	1	0	0	1

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Objects Accessioned	1	0	0	0	0	0	0	0	1

**B. DEACCESSIONS**

	Exchanges	Transfers	Losses	Thefts	Loan Return	NAGPRA
1. Obj Deaccessioned	0	0	0	0	0	0

	Conveyance	Involuntary Destruction	Voluntary Destruction	Return to Right. Owner	Destructive Analysis	Total
1. Obj Deaccessioned (continued)	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Obj Deaccessioned	0	0	0	0	0	0	0	0	0

**C. CATALOGING**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
1. Objects Cataloged	0	0	0	0	0	381	0	0	381

**D. USE OF COLLECTIONS**

1. Total Outgoing Loans	2. Total Objects in Outgoing Loans	3. Total Exhibits	4. Total Objects in Exhibits	5. Total Research Requests within Park	6. Total Research Requests Outside Park
0	0	0	200	0	0

**III. TOTAL COLLECTION SUMMARY FOR ALL YEARS**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,175	100	0	908	0	601	0	0	9,784
B. Catalog Backlog	0	0	0	3,000	0	0	800	0	3,800
C. Total Collection	8,175	100	0	3,908	0	601	800	0	13,584

**% Cataloged: 72.02**

**IV. NOTEWORTHY ACCESSIONS, DEACCESSIONS, & OTHER (Attach a separate sheet if necessary)**
**V. FORM COMPLETION INFORMATION**

Form Completed By: (b) (6), (b) (7)(C) PARK RANGER 319-873-3491 03/16/92  
(Name) (Title) (Phone) (Date)

Recognizing that the act of accessioning obligates the National Park Service to long-term care of the accessioned items, I certify that all new accessions are consistent with the park Scope of Collections Statement and with NPS Director's Order 19.

Approval: THOMAS A. MUNSON  
(Superintendent for Park Reports; Manager for Center or Repository Reports)

Form 10-94 (Rev. 12/2008)

**U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT**

Fiscal Year: 1990  
Park: EFMO  
Center:

**I. TOTAL COLLECTION SUMMARY FROM PREVIOUS YEAR (1989)**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,175	100	0	0	0	0	0	0	8,275
B. Catalog Backlog	0	0	400	908	0	1,286	0	200	2,794
C. Total Collection	8,175	100	400	908	0	1,286	0	200	11,069

**II. COLLECTION SUMMARY FOR FISCAL YEAR**

**A. ACCESSIONS**

	Gifts	Exchanges	Purchases	Field Collections	Transfers	Incoming Loans	Total
1. Objects Accessioned	0	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Objects Accessioned	0	0	0	0	0	0	0	0	0

**B. DEACCESSIONS**

	Exchanges	Transfers	Losses	Thefts	Loan Return	NAGPRA
1. Obj Deaccessioned	0	0	0	0	0	0

	Conveyance	Involuntary Destruction	Voluntary Destruction	Return to Right. Owner	Destructive Analysis	Total
1. Obj Deaccessioned (continued)	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Obj Deaccessioned	0	0	0	0	0	0	0	0	0

**C. CATALOGING**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
1. Objects Cataloged	0	0	0	908	0	286	0	0	1,194

**D. USE OF COLLECTIONS**

1. Total Outgoing Loans	2. Total Objects In Outgoing Loans	3. Total Exhibits	4. Total Objects in Exhibits	5. Total Research Requests within Park	6. Total Research Requests Outside Park
0	0	0	200	0	0

**III. TOTAL COLLECTION SUMMARY FOR ALL YEARS**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,175	100	0	908	0	286	0	0	9,469
B. Catalog Backlog	0	0	400	0	0	1,000	0	200	1,600
C. Total Collection	8,175	100	400	908	0	1,286	0	200	11,069
<b>% Cataloged:</b>									<b>85.54</b>

**IV. NOTEWORTHY ACCESSIONS, DEACCESSIONS, & OTHER (Attach a separate sheet if necessary)**

**V. FORM COMPLETION INFORMATION**

Form Completed By: (b) (6), (b) (7)(C) PARK RANGER 319-873-3491 03/21/91  
 (Name) (Title) (Phone) (Date)

Recognizing that the act of accessioning obligates the National Park Service to long-term care of the accessioned items, I certify that all new accessions are consistent with the park Scope of Collections Statement and with NPS Director's Order 19.

Approval: THOMAS A. MUNSON Form 10-94 (Rev. 12/2008)  
 (Superintendent for Park Reports; Manager for Center or Repository Reports)

U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT

p.2  
Fiscal Year: 1989  
Park: EFMO  
Center:

**I. TOTAL COLLECTION SUMMARY FROM PREVIOUS YEAR (1988)**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,503	0	200	0	0	50	0	58	8,811
B. Catalog Backlog	0	0	0	0	0	0	0	0	0
C. Total Collection	8,503	0	200	0	0	50	0	58	8,811

**II. COLLECTION SUMMARY FOR FISCAL YEAR**
**A. ACCESSIONS**

	Gifts	Exchanges	Purchases	Field Collections	Transfers	Incoming Loans	Total
1. Objects Accessioned	0	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Objects Accessioned	0	0	0	0	0	0	0	0	0

**B. DEACCESSIONS**

	Exchanges	Transfers	Losses	Thefts	Loan Return	NAGPRA
1. Obj Deaccessioned	0	0	0	0	0	0

	Conveyance	Involuntary Destruction	Voluntary Destruction	Return to Right. Owner	Destructive Analysis	Total
1. Obj Deaccessioned (continued)	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Obj Deaccessioned	0	0	0	0	0	0	0	0	0

**C. CATALOGING**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
1. Objects Cataloged	0	0	0	0	0	0	0	0	0

**D. USE OF COLLECTIONS**

1. Total Outgoing Loans	2. Total Objects in Outgoing Loans	3. Total Exhibits	4. Total Objects in Exhibits	5. Total Research Requests within Park	6. Total Research Requests Outside Park
0	0	0	200	0	0

**III. TOTAL COLLECTION SUMMARY FOR ALL YEARS**

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	8,503	0	200	0	0	50	0	58	8,811
B. Catalog Backlog	0	0	0	0	0	0	0	0	0
C. Total Collection	8,503	0	200	0	0	50	0	58	8,811
<b>% Cataloged:</b>									<b>100.00</b>

**IV. NOTEWORTHY ACCESSIONS, DEACCESSIONS, & OTHER (Attach a separate sheet if necessary)**
**V. FORM COMPLETION INFORMATION**

Form Completed By: (b) (6), (b) (7)(C) PARK RANGER 319-873-3491 02/21/90  
(Name) (Title) (Phone) (Date)

Recognizing that the act of accessioning obligates the National Park Service to long-term care of the accessioned items, I certify that all new accessions are consistent with the park Scope of Collections Statement and with NPS Director's Order 19.

Approval: THOMAS A. MUNSON  
(Superintendent for Park Reports; Manager for Center or Repository Reports)

Form 10-94(Rev. 12/2008)

U.S. Department of the Interior  
National Park Service  
COLLECTIONS MANAGEMENT REPORT

Fiscal Year: 1988  
Park: EFMO  
Center:

## I. TOTAL COLLECTION SUMMARY FROM PREVIOUS YEAR (1987)

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	7,152	0	0	0	0	0	0	0	7,152
B. Catalog Backlog	1,836	1,000	500	1,300	0	1,000	0	200	5,836
C. Total Collection	8,988	1,000	500	1,300	0	1,000	0	200	12,988

## II. COLLECTION SUMMARY FOR FISCAL YEAR

## A. ACCESSIONS

	Gifts	Exchanges	Purchases	Field Collections	Transfers	Incoming Loans	Total
1. Objects Accessioned	0	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Objects Accessioned	0	0	0	0	0	0	0	0	0

## B. DEACCESSIONS

	Exchanges	Transfers	Losses	Thefts	Loan Return	NAGPRA
1. Obj Deaccessioned	0	0	0	0	0	0

	Conveyance	Involuntary Destruction	Voluntary Destruction	Return to Right Owner	Destructive Analysis	Total
1. Obj Deaccessioned (continued)	0	0	0	0	0	0

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
2. Obj Deaccessioned	0	0	0	0	0	0	0	0	0

## C. CATALOGING

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
1. Objects Cataloged	0	0	0	0	0	0	0	0	0

## D. USE OF COLLECTIONS

1. Total Outgoing Loans	2. Total Objects in Outgoing Loans	3. Total Exhibits	4. Total Objects in Exhibits	5. Total Research Requests within Park	6. Total Research Requests Outside Park
0	0	0	200	0	0

## III. TOTAL COLLECTION SUMMARY FOR ALL YEARS

	Archeology	Ethnology	History	Archives	Art	Biology	Paleo	Geology	Total
A. Objects Cataloged	7,152	0	0	0	0	0	0	0	7,152
B. Catalog Backlog	1,836	1,000	500	1,300	0	1,000	0	200	5,836
C. Total Collection	8,988	1,000	500	1,300	0	1,000	0	200	12,988
	% Cataloged:								55.06

## IV. NOTEWORTHY ACCESSIONS, DEACCESSIONS, &amp; OTHER (Attach a separate sheet if necessary)

## V. FORM COMPLETION INFORMATION

Form Completed By: \_\_\_\_\_

(Name)

(Title)

(Phone)

(Date)

Recognizing that the act of accessioning obligates the National Park Service to long-term care of the accessioned items, I certify that all new accessions are consistent with the park Scope of Collections Statement and with NPS Director's Order 19.

Approval: \_\_\_\_\_

(Superintendent for Park Reports; Manager for Center or Repository Reports)

Form 10-94 (Rev. 12/2008)



U.S. Department of the Interior  
NATIONAL PARK SERVICE

**COLLECTIONS MANAGEMENT REPORT**

*Received 2-25-88  
Checked 3-10-88  
NWRAC reported 0 activity*

Calendar Year 1987  
Region Midwest Region  
Park Effigy Mounds NM  
Center (if applicable) \_\_\_\_\_

(SEE REVERSE FOR INSTRUCTIONS)

NOTE: Use ( ) around any figures that are estimates

- Check One)  Park Report  
 Park Summary  
 Center Report for Park  
 Regional Summary

	NUMBER OF TRANSACTIONS IN YEAR	NUMBER OF ITEMS IN TRANSACTIONS							ITEM TOTAL
		ARCH*	ETHN*	HIST*	ARCHV*	BIOL*	PALEO*	GEOL*	
<b>ACCESSIONS</b>									
1. Gifts									
2. Exchanges									
3. Purchases									
4. Field Collections									
5. Transfers from other NPS units									
6. Transfers from other Federal Institutions									
7. Incoming loans	3	107							107
8. TOTAL ACCESSIONS	3	107							107
<b>DEACCESSIONS</b>									
1. Exchanges									
2. Transfers to other NPS units									
3. Losses, excluding thefts (Describe in COMMENTS)									
4. Theft									
5. Return of incoming loans									
6. Other (Describe in COMMENTS)									
7. TOTAL DEACCESSIONS									
<b>CATALOGING (Form 10-254)</b>									
1. Forms completed, Registration Data only									
2. Forms completed, Registration and Catalog Data	160	160							160
3. Forms completed, Catalog Data only									
4. Recataloging: forms completed	22	22							22
<b>CONSERVATION</b>									
1. Collection Condition Survey									
2. Treatments									
a. Treatments by NPS Center/Region	151	151							151
b. Treatments by park staff									
c. Treatments by contractor									
3. TOTAL CONSERVATION TREATMENTS	151	151							151
<b>CATALOGING SUMMARY ALL YEARS</b>									
1. Forms completed, Registration Data only	4366	4366							4366
2. Forms completed, Registration and Catalog Data	2786	2786							2786
3. TOTAL FORMS COMPLETED	7152	7152							7152
4. Backlog to be cataloged	(5836)	(1836)	(1000)	(500)	(1300)	(1000)		(200)	(5836)
5. TOTAL COLLECTION SUMMARY	(12988)	(8988)	(1000)	(500)	(1300)	(1000)		(200)	(12988)

**FIREARMS:**

Total number of firearms in museum collection	0
Total number of firearms acquired this year	0

**LOANS:**

Total number of outgoing loans	0
Total number of items in outgoing loans	0
Total items from park collections in park exhibits	(82)
Total number of collections research requests (in park)	0
Total number of collections research requests (outside)	0

**VI. PLANNING:**

Date(s)  
SOC 1985  
CMP \_\_\_\_\_  
CSP \_\_\_\_\_  
CCS \_\_\_\_\_  
HFR \_\_\_\_\_  
EP \_\_\_\_\_

**VII. FUNDING:**

\$ 3000  
FTE .05

- \*ARCH = Archeology
- \*ETHN = Ethnology
- \*HIST = Includes History, Fine Arts, Photographs, Architectural Specimens
- \*ARCHV = Archives
- \*BIOL = Biology
- \*PALEO = Paleontology
- \*GEOL = Geology

**NOTEWORTHY ACCESSIONS AND DEACCESSIONS AND OTHER COMMENTS:**

part of the backlog includes 1,636 objects with completed worksheets but catalog cards have not been filled out.

*John E. Hunter, State Curator, NWRAC FTS 864-4400 3-20-88*  
James S. David, Chief, I&RM (319) 873-3491 2/22/88

FORM COMPLETED BY: \_\_\_\_\_ (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone No.) \_\_\_\_\_ (Date)  
APPROVAL: Thomas A. Munson Superintendent  
(Superintendent for Park Reports; NWRAC Report and Summary Reports; Regional Director for Regional Summaries)

U.S. Department of the Interior  
NATIONAL PARK SERVICE

**COLLECTIONS MANAGEMENT REPORT**

Calendar Year 1986  
 Region MWR  
 Park EFMO  
 Center (if applicable) \_\_\_\_\_

(SEE REVERSE FOR INSTRUCTIONS)

NOTE: Use ( ) around any figures that are estimates

- Check One)  Park Report  
 Park Summary  
 Center Report for Park  
 Regional Summary

	NUMBER OF TRANSACTIONS IN YEAR	NUMBER OF ITEMS IN TRANSACTIONS							ITEM TOTAL
		ARCH*	ETHN*	HIST*	ARCHV*	BIOL*	PALEO*	GEOL*	
<b>ACCESSIONS</b>									
1 Gifts	11	(1000)							(1000)
2 Exchanges									
3 Purchases									
4 Field Collections	23	(4000)							(4000)
5 Transfers from other NPS units	1	1							1
6 Transfers from other Federal Institutions									
7 Incoming loans									
8 TOTAL ACCESSIONS	35	(5001)							(5001)
<b>DEACCESSIONS</b>									
1 Exchanges									
2 Transfers to other NPS units									
3 Losses, excluding thefts (Describe in COMMENTS)									
4 Thefts									
5 Return of incoming loans									
6 Other (Describe in COMMENTS)									
7 TOTAL DEACCESSIONS									
<b>CATALOGING (Form 10-254)</b>									
1 Forms completed, Registration Data only	4252	4252							4252
2 Forms completed, Registration and Catalog Data	1089	1089							1089
3 Forms completed, Catalog Data only	247	247							247
4 Recataloging: forms completed									
<b>CONSERVATION</b>									
1 Collection Condition Survey									
2 Treatments									
a. Treatments by NPS Center/Region									
b. Treatments by park staff									
c. Treatments by contractor									
3 TOTAL CONSERVATION TREATMENTS									
<b>CATALOGING SUMMARY ALL YEARS</b>									
1 Forms completed, Registration Data only	4366	4366							4366
2 Forms completed, Registration and Catalog Data	2604	2604							2604
3 TOTAL FORMS COMPLETED	6970	6970							6970
4 Backlog to be cataloged	(4000)	(2000)			(1500)		(500)		(4000)
5 TOTAL COLLECTION SUMMARY	(10970)	(8970)			(1500)		(500)		(10970)

**FIREARMS:**

1 Total number of firearms in museum collection	0
2 Total number of firearms acquired this year	0

**USE:**

1 Total number of outgoing loans	1
2 Total number of items in outgoing loans	(2000)
3 Total items from park collections in park exhibits	(82)
4 Total number of collections research requests (in park)	0
5 Total number of collections research requests (outside)	0

**VI. PLANNING:**

Date(s) 1985  
 SOC \_\_\_\_\_  
 CMP \_\_\_\_\_  
 CSP \_\_\_\_\_  
 CCS \_\_\_\_\_  
 HFR \_\_\_\_\_  
 EP \_\_\_\_\_

**VII. FUNDING:**

\$ 7000  
 FTE .45

- \*ARCH = Archeology
- \*ETHN = Ethnology
- \*HIST = Includes History, Fine Arts, Photographs, Architectural Specimens
- \*ARCHV = Archives
- \*BIOL = Biology
- \*PALEO = Paleontology
- \*GEOL = Geology

**III. NOTEWORTHY ACCESSIONS AND DEACCESSIONS AND OTHER COMMENTS:**

The outgoing went to the State Archeologist for study and reinterment of human remains as per PO#6115-6-0166 issued by the Midwest Archeological Center.

x. FORM COMPLETED BY: James S. David, Chief of I & M 319 873-2356 11/10/86  
 (Name) (Title) (Phone No.) (Date)

APPROVAL: Thomas G. Munson  
 (Superintendent for Park reports; Manager for center reports; Regional Director for Regional Summary)

U.S. Department of the Interior  
NATIONAL PARK SERVICE

**COLLECTIONS MANAGEMENT REPORT**

Calendar Year 1985  
 Region MWR  
 Park EFMO  
 Center (if applicable) \_\_\_\_\_

(SEE REVERSE FOR INSTRUCTIONS)

NOTE: Use ( ) around any figures that are estimates

- Check One:  Park Report  
 Park Summary  
 Center Report for Park  
 Regional Summary

	NUMBER OF TRANSACTIONS IN YEAR	NUMBER OF ITEMS IN TRANSACTIONS							ITEM TOTAL
		ARCH*	ETHN*	HIST*	ARCHV*	BIOL*	PALEO*	GEOL*	
<b>ACCESSIONS</b>									
1 Gifts	1	2							2
2 Exchanges									
3 Purchases									
4 Field Collections	12	(4000)							(4000)
5 Transfers from other NPS units									
6 Transfers from other Federal Institutions									
7 Incoming loans									
8 TOTAL ACCESSIONS	13								(4002)
<b>DEACCESSIONS</b>									
1 Exchanges									
2 Transfers to other NPS units									
3 Losses, excluding thefts (Describe in COMMENTS)									
4 Thefts									
5 Return of incoming loans									
6 Other (Describe in COMMENTS)									
7 TOTAL DEACCESSIONS									
<b>CATALOGING (Form 10-254)</b>									
1 Forms completed, Registration Data only									
2 Forms completed, Registration and Catalog Data									
3 Forms completed, Catalog Data only									
4 Recataloging: forms completed									
<b>CONSERVATION</b>									
1. Collection Condition Survey									
2. Treatments									
a. Treatments by NPS Center/Region									
b. Treatments by park staff									
c. Treatments by contractor									
3. TOTAL CONSERVATION TREATMENTS									
<b>CATALOGING SUMMARY ALL YEARS</b>									
1. Forms completed, Registration Data only	114	114							114
2. Forms completed, Registration and Catalog Data	1515	1515							1515
3. TOTAL FORMS COMPLETED	1629	1629							1629
4. Backlog to be cataloged	(9000)	(7000)			(1500)		(500)		(9000)
5. TOTAL COLLECTION SUMMARY	(10629)	(8629)			(1500)		(500)		(10629)

**FIREARMS:**

1. Total number of firearms in museum collection	0
2. Total number of firearms acquired this year	0

**USE:**

1. Total number of outgoing loans	0
2. Total number of items in outgoing loans	0
3. Total items from park collections in park exhibits	(82)
4. Total number of collections research requests (in park)	0
5. Total number of collections research requests (outside)	0

**VI. PLANNING:**

Date(s)  
 SOC 1985  
 CMP \_\_\_\_\_  
 CSP \_\_\_\_\_  
 CCS \_\_\_\_\_  
 HFR \_\_\_\_\_  
 EP \_\_\_\_\_

**VII. FUNDING:**

\$ 1000  
 FTE .05

- \*ARCH = Archeology
- \*ETHN = Ethnology
- \*HIST = Includes History, Fine Arts, Photographs, Architectural Specimens
- \*ARCHV = Archives
- \*BIOL = Biology
- \*PALEO = Paleontology
- \*GEOL = Geology

**III. NOTEWORTHY ACCESSIONS AND DEACCESSIONS AND OTHER COMMENTS:**

FORM COMPLETED BY: James S. David Chief I & RM 319 873-2356 11/10/97  
(Name) (Title) (Phone No.) (Date)

APPROVAL: Thomas G. Munson  
(Superintendent for Park reports; Manager for center reports; Regional Director for Regional Summary)

U.S. Department of the Interior  
NATIONAL PARK SERVICE

**COLLECTIONS MANAGEMENT REPORT**

Calendar Year 1986  
 Region MFR  
 Park EFMO  
 Center (if applicable) \_\_\_\_\_

(SEE REVERSE FOR INSTRUCTIONS)

NOTE: Use ( ) around any figures that are estimates

- Check One)  Park Report  
 Park Summary  
 Center Report for Park  
 Regional Summary

	NUMBER OF TRANSACTIONS IN YEAR	NUMBER OF ITEMS IN TRANSACTIONS							ITEM TOTAL
		ARCH*	ETHN*	HIST*	ARCHV*	BIOL*	PALEO*	GEOL*	
<b>ACCESSIONS</b>									
1 Gifts	11	(1000)							(1000)
2 Exchanges									
3 Purchases									
4 Field Collections	23	(4000)							(4000)
5 Transfers from other NPS units	1	1							1
6 Transfers from other Federal Institutions									
7 Incoming loans									
8 TOTAL ACCESSIONS	35	(5001)							(5001)
<b>DEACCESSIONS</b>									
1 Exchanges									
2 Transfers to other NPS units									
3 Losses, excluding thefts (Describe in COMMENTS)									
4 Theft									
5 Return of incoming loans									
6 Other (Describe in COMMENTS)									
7 TOTAL DEACCESSIONS									
<b>CATALOGING (Form 10-254)</b>									
1 Forms completed, Registration Data only	4252	4252							4252
2 Forms completed, Registration and Catalog Data	1089	1089							1089
3 Forms completed, Catalog Data only	247	247							247
4 Recataloging: forms completed									
<b>CONSERVATION</b>									
1 Collection Condition Survey									
2 Treatments									
a. Treatments by NPS Center/Region									
b. Treatments by park staff									
c. Treatments by contractor									
3 TOTAL CONSERVATION TREATMENTS									
<b>CATALOGING SUMMARY ALL YEARS</b>									
1. Forms completed, Registration Data only	4366	4366							4366
2. Forms completed, Registration and Catalog Data	2604	2604							2604
3. TOTAL FORMS COMPLETED	6970	6970							6970
4. Backlog to be cataloged	(4000)	(2000)			(1500)			(500)	(4000)
5. TOTAL COLLECTION SUMMARY	(10970)	(8970)			(1500)			(500)	(10970)

**FIREARMS:**

1. Total number of firearms in museum collection	0
2. Total number of firearms acquired this year	0
<b>USE:</b>	
1. Total number of outgoing loans	1
2. Total number of items in outgoing loans	(2000)
3. Total items from park collections in park exhibits	(82)
4. Total number of collections research requests (in park)	0
5. Total number of collections research requests (outside)	0

**VI. PLANNING:**

Date(s) 1985  
 SOC \_\_\_\_\_  
 CMP \_\_\_\_\_  
 CSP \_\_\_\_\_  
 CCS \_\_\_\_\_  
 HFR \_\_\_\_\_  
 EP \_\_\_\_\_

**VII. FUNDING:**

\$ 7000  
 FTE .45

- \*ARCH = Archeology
- \*ETHN = Ethnology
- \*HIST = Includes History, Fine Arts, Photographs, Architectural Specimens
- \*ARCHV = Archives
- \*BIOL = Biology
- \*PALEO = Paleontology
- \*GEOL = Geology

**III. NOTEWORTHY ACCESSIONS AND DEACCESSIONS AND OTHER COMMENTS:**

The outgoing went to the State Archeologist for study and reinterment of human remains as per PO#6115-6-0166 issued by the Midwest Archeological Center.

X. FORM COMPLETED BY: James S. David, Chief of I & RM 319 873-2356 11/10/86  
 (Name) (Title) (Phone No.) (Date)

APPROVAL: Thomas G. Munson  
 (Superintendent for Park reports; Manager for center reports; Regional Director for Regional Summary)

## memorandum

DATE: April 27, 1989

REPLY TO  
ATTN OF: Staff Curator, Curatorial Services Division, WASO

SUBJECT: Management of Human Remains in the Effigy Mounds National Monument Museum Collections

TO: Superintendent, Effigy Mounds NM

As I mentioned by telephone, the following discussion of the status of human remains in the Effigy Mounds (EFMO) collection has been prepared as a project to complete my participation as a student in the training course "Critical Issues: Workshop in Curatorial Management--Native American Collections", conducted in May 1988. Each participant was to evaluate a park's current program for managing sensitive Native American materials and make recommendations. Since I currently do not curate a collection, I arranged with you to write on Effigy Mounds National Monument (EFMO) collection issues. This memorandum is based on information provided by you and by EFMO Chief of Interpretation and Resources Management Jim David, on discussions with Washington Office and Midwest Archeological Center staff, and on material presented in the course. The discussion is based on my limited knowledge of the EFMO collections and represents only my own understanding of the complicated issues concerned.

### Background and Status

Effigy Mounds National Monument was established in 1949 to preserve nearly 200 known prehistoric earth mounds constructed over a period of some 1800 years, ranging from the Red Ocher culture through the effigy mound builders, up to about the year 1300. Some of the mounds were used as burial sites. The monument's museum collections currently contain some 4 to 5 standard specimen drawers of excavated human remains. These are part of holdings recovered from excavations at rock shelter and mound sites within the current boundaries of the monument. The material makes up part of 10 separate collection accessions, eight of them resulting from NPS-sponsored projects dating from 1950 to 1977. One of the remaining accessions is recorded as a gift, but the material was actually excavated by EFMO staff archeologist Wilfred D. Logan from a rock shelter within park boundaries (Accession 8, comprising nearly half of the monument's collection of human remains). The last is material excavated in 1928, prior to the acquisition of the land by the NPS, on what is now monument land and later donated to the monument (Accession 16).

Analysis of these materials indicates that they represent fragmentary skeletal and cremated remains of an estimated 40 individuals. The monument staff reports that most of these remains date from the Hopewellian period of Woodland culture, with analysis placing them at 200 AD +/-200 years, and that based on current literature, no direct kinship

**COPY**

or cultural link has been established between these peoples and contemporary cultural groups.

In 1986, EFMO was contacted by the Iowa Indian Advisory Committee, an advisory group to the state archeologist. The group requested that the Native American remains in the monument's collections be reinterred in original locations if possible, and if not, in a designated state Native American cemetery. No request was made for any associated grave goods. At that time, at least half of the human remains in the monument's holdings consisted of material excavated by NPS archeologists outside of monument lands in the 1950s and 1960s. An Iowa state law requires that all human remains excavated on state or private lands must be deposited with the State Archeologist for study and subsequent reburial in a state-designated crypt. Through discussion between the monument, the Midwest Archeological Center, and the State Archeologist, it was determined that no clear claim could be made for NPS ownership of the materials originating outside the monument, and that the NPS had jurisdiction and preservation responsibility only for the portion of the collection excavated on the monument. In response to the committee's request, Midwest Archeological Center staff contracted with the Office of the State Archeologist to analyze all probable human remains in the EFMO collections and to distinguish, to the extent possible, between monument and outside holdings. The resulting study was entitled The Analysis of Human Skeletal Remains from the Museum Collections at Effigy Mounds National Monument, Shirley Schermer and Alton Fisher, 1987.

The remains excavated off monument lands were then turned over to the State Archeologist for disposition. In the correspondence with the state advisory committee, the monument staff indicated their intention to discuss further the future of the remaining NPS material. The advisory group responded by expressing an interest in the future return of the remaining material, but additional requests have not been received from the group to date.

According to the monument staff, associated field notes exist at the monument for only 3 of the 10 monument accessions. It was not determined in the course of this project whether additional documentary materials are held at Midwest Archeological Center. None of the materials are labelled with field specimen numbers. In addition to the Schermer/Fisher analysis, earlier studies were conducted on some of the materials, including some carbon 14 dating, and at least one extensive final report has been completed. Although all of the material is accessioned, none is cataloged into the NPS museum recordkeeping system except a small quantity misidentified as animal remains.

The staff at Effigy Mounds has for some time been interested in exploring the justifications for maintaining these materials in the collections, in light of their sensitive nature, and what options the monument has for managing them. The staff has on its own initiative, discussed the materials informally with MWAC staff, and considered the possibility of

reburial within the monument in such a way that they could be re-exhumed if required for future research. No decision on the best course of action has been made.

### Discussion

Numerous government agencies and archeological, historical, preservation, and museum organizations today are creating policies and guidelines for the management of sacred materials and human remains encountered in their projects or held in their collections. In the NPS, applicable statutes and rules include the 1906 Antiquities Act and its implementing regulation (43 CFR Part 3), the 1978 American Indian Religious Freedom Act, the Archeological Resources Protection Act (1979) and its implementing regulation (43 CFR Part 7), and the 1955 Museum Management Act. Related policies and guidelines include the Department of Interior's "Guidelines for the Disposition of Archeological and Historical Human Remains," Cultural Resources Management Guideline (NPS-28, 1985), the Native American Relationships Management Policy (1987), and the NPS Management Policies (1988). Some of the applicable provisions of these documents are mentioned in the following discussion.

The EFMO human remains appear, based on conversations with park staff, to be the clear property of the NPS.<sup>1</sup> The material excavated after the designation of the monument, between 1950 and 1977 (9 of the 10 accessions), presumably fall under the terms of the 1906 Antiquities Act. This act authorizes surveys and excavations on NPS and Indian lands. Unless stated otherwise in a specific permit, the act requires collections generated by these digs to be held in and made accessible by a public institution, and transferred only with the approval of the Smithsonian Institution, and then only to be preserved in another such institution.<sup>2</sup> Collections acquired under this act remain bound by its provisions.

Collections excavated since 1979 are covered by the provisions of the Archeological Resources Protection Act (ARPA), which again states that archeological resources excavated on public lands will remain the property of the United States and, along with their associated records and data,

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<sup>1</sup>It was not determined during this project whether the remains excavated by Dr. Field in 1928 on then private land, and later donated to the NPS (Accession 16), should have been state property by law.

<sup>2</sup>In the course of this project, WASO Archeological Program Specialist Michele Aubrey suggested to me that the act's referral of agencies to the Smithsonian reflects a time in which the Smithsonian would have been among the few sources of expertise appropriate to such decisions. She knows of only one such request having been made, and the Smithsonian declined to act in this capacity. It is not known to what extent actions are taken without this authority.

will be preserved in a scientific or educational institution. However, this act defines archeological resources as "material remains of past human life or activities which are of archeological interest..." Such a criteria provides some latitude for NPS managers and archeological professionals to evaluate the continuing scientific value of collection materials and, presumably, to determine that certain excavated materials are not of archeological interest.

While the Effigy Mounds materials are technically bound by the provisions of the Antiquities Act, presumably the spirit of the more recent ARPA criteria might be applied to them. Based on conversations with park and regional staff, it appears that the systematic, archeological nature of at least some of the EFMO remains could be questioned. The materials are highly fragmentary, and their contexts and provenience are often poorly documented. In addition, analysis has been conducted to some degree on all of the material. In the 1987 contract analysis mentioned above, Schermer states in her summary comments, "The fragmented and poor condition of the human skeletal remains in the Effigy Mounds NM collection limited the amount of information that could be obtained from them. Lack of field notes added to the limitations....Insufficient skeletal material hindered making a definitive statement concerning the overall health and nutrition of the individuals from these accessioned collections" and "In all cases, individuals were represented by limited remains and in many cases no dentition was present. Cultural affiliation could not be determined for many individuals."(p.92).

In the course of my project, the issue of the collection's continuing value was raised informally with Supervisory Archeologist Dr. Mark Lynott at Midwest Archeological Center. Despite the lack of completeness and associated documentation (the latter typical of excavations of the period), Dr. Lynott felt that the argument could be made that the EFMO material remains of value because of the potential for advances in analytical techniques, because little is known about the effigy mound builders, because few remains of this type are available in collections, and because future excavation of such material is expected to be strictly limited. For example, Special Directive 87-3 on "Conservation of Archeological Resources" states that "...it is our basic policy to preserve archeological sites undisturbed whenever feasible and practical." The draft of the revised Management Policies (March 1988) says that "Historic and prehistoric burial areas...will not be disturbed or archeologically investigated unless threatened with destruction by park development or operational activities."(Ch.6, p.14). And the 1987 Native American Relationships Management Policy says that "Burial areas generally shall not be disturbed, destroyed, or archeologically investigated unless there are no feasible and prudent alternatives..."(p.35677).

Current policies also require the NPS to locate and enter into consultation with Native American groups tied by kinship or culture to NPS-held resources of all types, whenever those resources are to be affected by NPS actions. Both NPS-28 and the Native American Relationships Management Policy discourage the excavation of human remains. The policy outlines options for how to proceed when human



remains are discovered or anticipated in unavoidable excavations or endangered areas, including options that permit reburial or study and reburial without entering the material into the area's museum collection.

In the EFMO situation the state advisory group that initiated the request for return and reburial of the remains is not associated with the people represented by these remains by kinship or culture, nor do they claim to be. No contemporary group with such links is known to exist. In cases like this, the guidelines require that all reasonable efforts be made to continue to seek out and identify such groups. The question was informally put to Dr. Lynott, whether additional ethnological research that might turn up such connections was feasible. He felt that due to the manner of dispersion of tribes in this area and the lack of related records, this may well be a prohibitively complex research question at this time. He also suggested that there may be analytical techniques anticipated in the field but not yet available, that may one day assist archeologists in determining kinship links between such remains and contemporary peoples.

At this time however, there are no groups available with which the NPS is bound by the Native American Relationship Management Policy to consult on the curation of these materials. The monument is to consult openly with groups such as the Iowa Indian Advisory Committee however, as they would with any interested public group regarding the management of NPS resources.

NPS policies for new excavations promote preservation of human remains in situ, and provide guidance on consultation and options for study and reburial outside museum collection constraints. These rules permit control of the growth of sensitive materials collections. The available guidance on questions of management and disposition of such materials, (and on deaccessioning of all museum material) already in existing collections continues to be refined. NPS managers have, following the request of associated Native American groups, deaccessioned analyzed human remains in park collections that were determined to be of limited archeological value, and reburied them on park lands with the group's participation. The location was noted on the base map and retained in the accession file. An acceptable collection management option that has been used on occasion for human remains already in NPS collections that must by policy be retained, is to conduct suitable analysis, protect the material from deterioration, and rebury it on park lands in a recorded location. The material is still considered to be part of the collection, the location in which it is "stored" is recorded on the catalog record, and it can be re-exhumed in the future if required for an approved research project. Such a procedure has been carried out, for example, at Custer Battlefield NM and Saratoga NHP, and is expected to occur with materials excavated at Ellis Island. At Pu'uohonua O Honaunau NHP in Hawaii, remains are reinterred in a designated cave on park lands, with the cooperation of local native peoples, but are retained in the park collection. Another government agency, the U.S. Fish and Wildlife Service at the Stillwater Wildlife Management Area in Nevada, arranged with a group claiming

association to local peoples to build a suitable vault and inter remains at intervals as they are uncovered by projects or natural causes. They are to be removed from the vault only for authorized research upon joint approval of the tribe and the Service. The decision as to whether such solutions answer the desires of associated peoples, or the preservation needs of the NPS, must be decided on a case by case basis. For the EFMO material, an additional question is whether reburial is an appropriate course of action when no associated group has requested it.

### Summary and Recommendations

Based on this brief examination of the EFMO issues:

- It appears that the NPS holds clear title to the remains from at least the post-1949 excavations. The material from all 10 excavations has been accessioned into the monument's museum collection.
- Technically, unless it were to be determined that these materials are no longer of archeological interest, they must be retained in the museum collections under the terms of the Antiquities Act. Archeologists may determine that the remains are part of a very limited quantity of such material whose archeological value is substantial and expected to increase. However, some analysis has been performed on all of the material, and at least some of it has been described as fragmentary and poorly documented. If the material were determined to be of little archeological value, continued expenditure of funds for curation could well be questioned.
- No group or individual with cultural or kinship links to the remains has requested their reburial, or is known to exist. However, a state-recognized advisory group has requested their reburial, and the monument has agreed to discuss management of the collection with them.
- Options for managing the material as part of the museum collection include continued specimen cabinet storage at the monument, curation at the Midwest Archeological Center, or reburial on park land with the option to re-excavate if necessary for future research.

If the NPS is pressed to provide other options, the monument might consider maintaining the remains as part of the museum collection, but placing them on loan to the state archeologist to be interred in the state-designated burial crypt. The loan agreement would clearly outline a procedure by which the remains could be re-exhumed for authorized research projects, outline required preservation standards, and set a term for the loan, after which it could be renewed.

- It is not currently known whether reburial on park land or in the crypt, with Native American involvement as suggested by monument managers, will answer the desires of the advisory group or, since the remains will continue to be part of the museum collection, the goals of the managers.

It must also be determined if either reburial option would set an unfavorable precedent for similar situations when no associated group is involved.

Based on these observations, the following suggestions are made:

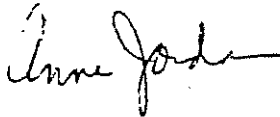
1. Conduct a thorough search to locate or acquire all field notes, data, and reports associated with these excavations.
2. Fully catalog and photograph all of the human remains and associated grave goods. Restrict the photographs from exhibition or publication.
3. Request an evaluation from MWAC archeological staff of the continuing scientific value of these materials, considering whether they were systematically collected, the adequacy of their associated documentation and provenience information, and the extent of analysis to date.
4. Discuss with the Regional Curator and staff at MWAC the available management options including the status quo, curation at MWAC, reversible reburial on monument land, or loan for reburial in the state crypt. If management favors reburial, consider with them both preservation concerns and the issue of precedent. Information on containerization that has been used already in NPS burials intended to preserve the remains, might be requested from Regional Archeologist Dick Hsu of the North Atlantic Regional Office.

Outline preferred options.

5. Based on conversations and correspondence to date between EFMO, MWAC, and the Iowa Indian Advisory Committee, decide whether the NPS has committed itself to take the initiative in following up on 1986 discussions regarding disposition of the remaining material, or can wait to be contacted again by the group. Note particularly the monument's September 5, 1986 letter to the group. Either way, in the next communication, notify them that their group does not meet the criteria outlined in the Native American Relationships Management Policy for groups linked to Native American remains by culture or kinship with which the NPS must consult regarding disposition. Express a willingness however, to confer with them as an interested public group and to consider their views. Discuss the available options and request the group's views on the appropriateness of each. State clearly that the final decision rests with the NPS.
6. Again discuss the preferred options with the Regional Curator and MWAC, taking into account the views of the advisory committee. Request the review of the Regional Director unless the status quo is to be maintained. Notify the committee of what is seen as the best course of action at this time.

7. Draft a monument policy statement covering curation and management of the currently held human remains. Although excavation at EFMO is expected to be limited in the future, also outline monument guidelines to assist in dealing with the possibility of additional discoveries of human remains through excavation or natural causes. Such guidelines should be incorporated into the Scope of Collection Statement upon its next revision and submitted for Regional Director approval. Revise the restriction on exhibition of human remains and sacred materials on page 8 of the current statement to conform to the provisions of the Native American Relationships Management Policy.
8. Maintain awareness of and promote as feasible any current research that may establish connections between the Hopewellian remains and contemporary peoples.

I would like to thank Superintendent Munson and Chief Ranger Jim David for their assistance in this project, and for so willingly providing the necessary information. I have found the issues raised by all such situations to be of great interest, and admire the staff at EFMO for their clear intent to manage the sensitive materials in their collections with respect.



Anne E. Jordan

cc:

John Hunter, MWR  
Dave Dahlin, SMTC

FEB 21 1989

From W EPO

# HARPER'S

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FEBRUARY 1989

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\* SKELETONS IN OUR MUSEUMS' CLOSETS  
Native Americans want their ancestors' bones back

Cover: Detail of a painting by Jacob Lawrence, courtesy of Terry Dinterfass Gallery

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R E P O R T

# SKELETONS IN OUR MUSEUMS' CLOSETS

Native Americans want their ancestors' bones back

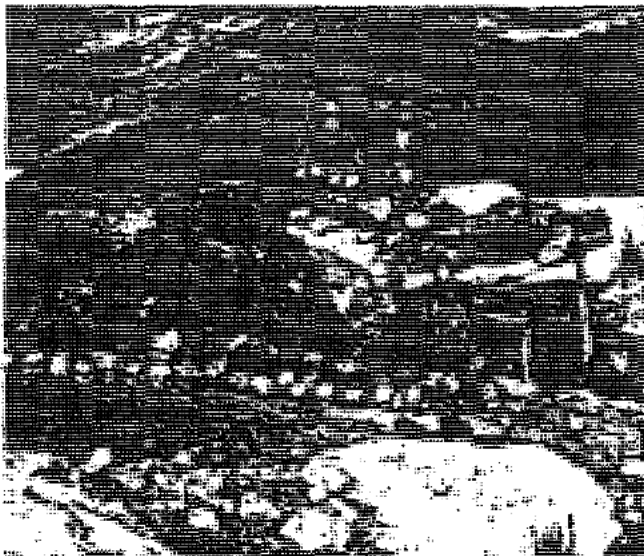
By Douglas J. Preston

Some years ago, I worked at the American Museum of Natural History in New York City—as a writer and editor, not as a curator. One morning I opened the door to my office and was nearly knocked down by the smell of mothballs. Later I complained to my co-workers at the coffee machine, and one of them suggested that I contact the anthropology department. "I think they've got some kind of storage room next to your office," he said.

Indeed they did. I learned over at the anthropology department that a wall of cheap plasterboard was all that separated me from the museum's collection of well-preserved human bodies. It seems that this particular morning the mummies had received a fresh change of paradichlorobenzene crystals to keep them free of insects. Curious, I decided to pay my neighbors a visit.

The mummies were stored in the defunct South American hall, a cavernous room with a tiled floor and fine, old oak cabinets. Most of the mummies were stacked along the back wall in a solid tier of black tin crates; several in the center of the room were in glass cases—apparently

Douglas J. Preston is a former manager of the department of publications at the American Museum of Natural History.



they had once been on display.

It was that morning when I first began to understand that the American Museum collected not only the art and artifacts of other cultures but bodies too, along with bones, skulls, whole skeletons—in a sense, collected *people* of other cultures. It is such a large collection that storing it is a headache. One curator had sacrificed half his office for the keeping of thousands of human skulls, each in its own little cardboard box. Lining the halls outside the anthropology department's offices were rows of lovely nineteenth-century cabinets; in many of them, behind rippled glass, I glimpsed stacks of human bones and mummified body parts. Nobody knew

exactly how many individuals' remains (or parts of remains) the museum held, but my guess was close to 25,000—a very large graveyard.

My curiosity eventually led me to the museum's archives. What I wanted to know was, where did all these remains come from? Why did the museum collect them? And what were they doing here now? You wouldn't know about them from visiting the museum's exhibition halls. It was as if they were a secret, a mystery.

Reading old museum reports, I learned that the stories of how the human remains got to the museum are in some cases as unsettling as the bones and skulls and mummies themselves. There is, for example, the story of the Fortress Rock mummies. In 1928, the museum launched the Stoll-McCracken Arctic expedition—actually a wealthy shooting party—to collect Pacific walrus in the Aleutian Islands for one of the museum's new habitat groups. (You can still see a few of the walrus brought back, now stuffed, in the Hall of Ocean Life.) But the expedition was after more than walrus. Anthropologists at the museum knew that in 1875 a sealer had unloaded in San Francisco a dozen mummies said to have been collected in the Aleu-

H2017

xxx 3491

November 25, 1988

Ann Jordan  
Curatorial Services Division  
National Park Service  
Stage Coach Inn  
Harpers Ferry, WV 25425

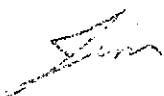
Dear Ann:

Enclosed are the following items: copies of the correspondence related to the human remains, copies of the accession book entries that relate to those remains, and five photographs of some of those remains.

Photos #1 and #2 show some of the remains that we have that are in good condition, that is the bones are fairly complete. Photos #3 and #4 show what, in some cases, represents all we have from an excavation. These are two different excavations and in Ms. Schermer's report would represent two individuals. Photo #5 also shows a typical situation for us. These are cremated remains, bone fragments, teeth, etc., that represent several individuals. Most of what we have are these fragmented remains, only a small percentage of our remains are in the condition shown in the first two pictures. Being Polaroid pictures, the sharpness and detail leave much to be desired. If you would like me to take some with the 35 mm camera just let me know.

I hope this is of use to you. If you do not have any luck getting a copy of Ms. Shermer's report we could probably make a copy of parts of it for you. If I can be of any further help just let me know.

Sincerely,



James S. David  
Chief, I&RM

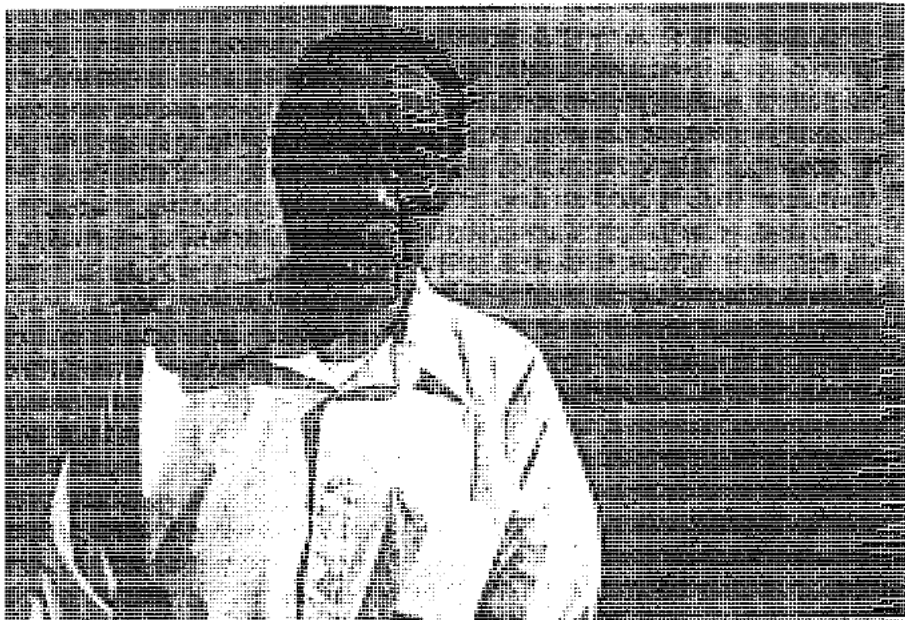
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26

Jim  
SID

# Indians Gaining on the U.S. in Battle over Ancestral Bones

**SUMMARY: American Indians are fighting a 20th century battle against the federal government, museums and anthropologists. The object of their attention is the skeletal remains of their ancestors that were collected from archaeological digs and battle sites or stolen from graves. Scientists say the bones have an important value in their study. But the government is becoming increasingly sensitive to the wishes of the Indians and trying to return the remains whenever possible.**



STEPHEN BROOKES / INSIGHT

Yellow Kidney takes the return of his ancestors' bones seriously and personally.

Sweat streaming down his face, Buster Yellow Kidney shakes more water on the heated rocks from the thin wand of woven grasses. The heat, already intense in the small dome, begins to rise. A ceremonial pipe is passed, and prayers are offered. Slowly, deliberately, he and the other elders of the Blackfeet tribe begin the "Song of the Buffalo," calling on the spirits of their ancestors to arise and follow them home. Four more times the traditional "sweat" is repeated. Finally, the purification ceremony over, the skulls of 15 warriors, stored for decades in a back room of the Smithsonian Institution, are carefully gathered up for the return to the burial ground from which they were stolen 96 years before.

The ceremony, performed Sept. 10 in a Virginia field just outside Washington, marked the successful end of three long and often difficult years of negotiations between the tribe, which is based in Browning, Mont., and the Smithsonian's National Museum of Natural History. The Blackfeet

consider it a victory for their people and an event of tremendous importance for the tribe, but its significance may extend even further. Increasing numbers of Indian groups are insisting that their ancestral remains be returned as well, and this is becoming a highly emotional debate pitting religious values against scientific interests.

At issue is the fate of the vast number of skeletal remains — more than 18,500 pieces in the Smithsonian's collection alone — assembled over the past century from battle sites, archaeological digs and burial grounds. For the anthropologists who study them, they contain an irreplaceable wealth of information about the lives of prehistoric American peoples. Using advanced techniques — many developed only in the past decade — scientists have been able to discern ancient medical, demographic, social and even economic trends. Despite the need to respect the views of the tribes to which the remains are linked, says Smithsonian Secretary Robert McCormick Adams, "it must be remembered that these

bones are scientifically useful."

To the Indian groups, however, the remains represent a crime that must be set right. "It's a religious matter," says Suzan Shown Harjo, the executive director of the National Congress of American Indians in Washington. "There are ceremonies that tribes are supposed to do for the people who passed on, and basic cycles are felt to be interrupted when the bodies are disinterred. And many tribes believe that things will not be set right with the world until these are restored. It's very strongly felt."

Yellow Kidney agrees. When the bones were removed, he says, a fundamental connection with the past was severed and may have led to many of the social and economic woes — including alcoholism, drug abuse, crime and unemployment — that afflict the tribe. He and other tribal leaders now expect those problems to start to abate — not only for the tribe but for the rest of the world as well.

A key negotiator in the talks with the Smithsonian, as well as a nationally respected spiritual teacher, Yellow Kidney takes the return of his ancestors' remains seriously and personally. "When I first became aware of the bones in the Smithsonian's collection," he says, "it brought me back to my early childhood. People weren't buried then, they were just brought up into houses high in the hills. There was one that I used to go to that belonged to the chief of the Blackfeet. His whole family was in this house, and everything they had was there, as if they were alive. And anytime, as a boy, that I was in trouble or having problems, I would go up there, and many times would spend five or six hours in the house, talking to them. They weren't just skeletons to me. They were real."

Returning to the reservation in Browning one winter, however, Yellow Kidney found the skeletons stolen and the house burned to the ground. The only clue was a flash of headlights seen near the house before the robbery, at a time when automobiles were virtually unknown among the Indians. Looking over the desecration, he vowed to help bring the spirits home. And while those bones were never recovered, he says, "I helped to bring them back in the best way I could."

Many of the bones in the Smithsonian's collection and all of those returned to the Blackfeet in September were collected by the Army Medical Museum, now called the



**COPY**

**AAM COLLECTIONS SURVEY  
NATIVE AMERICAN SKELETAL REMAINS AND CEREMONIAL ARTIFACTS**

John E. Hunter  
Name of Person Completing Survey  
FTS 864-4880  
402-221-4880  
Phone

Midwest Region - inclusive  
National Park Service  
Museum  
1709 Jackson St.  
Address  
Omaha, NE 68102-2571  
City, State, Zip Code

Edward Martin  
Director's Signature

Aug 25 1 88  
Date

AREA DISTRIBUTION	
TO	Initial
Superintendent	MM
Chief Ranger	
Admin. Tech.	
Clerk-Typist	
Res. Mgr.	
Maintenance	
Laborers	
Para. Prof.	

Please Return In Enclosed Envelope Or  
If You Have Access To A Facsimile Machine, Fax It To Us  
AAM FAX NUMBER: 202-737-0127

It is not necessary to type information. Legible hand-writing is preferable (less errors tend to be made).

AUG 29 1988

**A. DEFINITIONS**

- **Skeletal Remains** - as defined in the legislation, skeletal remains are human remains of an Indian, a Native Hawaiian or an Alaskan Native, Aleut or Eskimo.
- **Ceremonial Artifacts** - as defined in the legislation, "ceremonial artifacts means any item which is devoted to a Native American religious ceremony by an Indian tribe, Native Hawaiian group, or an individual member of such tribe or group and which is necessary for the ongoing observance of religious ceremony or ritual by the tribe, group or its members."  
(For the purposes of this survey, do not include grave goods).  
See definition clarification in NPS cover memo.

**B. COLLECTIONS OF NATIVE AMERICAN MATERIALS**

We do not hold such materials  (check if appropriate, return this page of the survey to AAM)

We do hold such materials  (check if appropriate, please complete survey.)

Total number of objects/specimens, including Native American materials, owned by the museum (77,000)

Percent consisting of Native American skeletal remains 2,002 %

Percent consisting of Native American ceremonial artifacts 2,0007 %

20

B. COLLECTIONS OF NATIVE AMERICAN MATERIALS (continued)

Provide total number of objects/specimens, including Native American materials on long-term loan to the museum

negligible

Percent consisting of Native American skeletal remains

0 %

Percent consisting of Native American ceremonial artifacts

0 %

C. SKELETAL REMAINS

• How many skeletal remains of Native American origin, owned by the museum or on long term loan, are in your museum's collection (Please respond with number of full skeleton specimens or portions thereof)

110-125

• Of the skeletal remains in your museum's collection, what percentage are pre-European contact?

100 %

• What percentage are post-European contact?

0 %

For the following questions related to loans, please provide answers for long term deposits covered by formal loan agreements, not loans for temporary exhibits.

Of the Museum's Native American skeletal remains collection, how many:

• Are owned by the museum

108-123

• On loan, owned by the federal government

4-6

• On loan, owned by tribal governments

0

• On loan, owned by state government

0

• On loan, owned by local government

0

• On loan, owned by other (individuals, other museums, universities, societies, etc.)

0

• How many of the museum's skeletal remains collections are on loan to the museum, but no formal loan agreement was made (excluding temporary exhibits)

4-6\*

• Describe general condition of skeletal remains owned by the museum (check appropriate space)

Need Conservation  
Stable  
Good Condition  
Excellent

all are fragments and  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* Owned by Smithsonian. left at MWA from old ABS days to be returned. Not from land conveyed in Federal ~~land~~ trust.



B. SKELETAL REMAINS (continued)

- Describe general condition of skeletal remains on loan to the museum (check appropriate space)

N/A

Need Conservation \_\_\_\_\_  
 Stable \_\_\_\_\_  
 Good Condition \_\_\_\_\_  
 Excellent \_\_\_\_\_

- Of the remains that are owned by the museum, describe how they were acquired. (Use additional sheets if necessary)

*Archaeological excavations*

D. REPATRIATION

- How many requests have been made of your museum for the repatriation of Native American skeletal remains or ceremonial artifacts?

skeletal remains 1  
 ceremonial artifacts 0

- How many remains/artifacts have been returned?

skeletal remains 53  
 ceremonial artifacts 0

- Who has requested the repatriation of these materials from the museum?

State of Iowa

- Does your museum have a repatriation policy? Yes \_\_\_\_\_ No \_\_\_\_\_

- In its collections or ethics policy, does your museum address the repatriation of (check one)

Native American skeletal remains \_\_\_\_\_  
 Native American ceremonial artifacts \_\_\_\_\_  
 Both \_\_\_\_\_  
 Neither \_\_\_\_\_

- A copy of the AAM Repatriation Policy is enclosed. Have you incorporated the AAM Policy on Repatriation into your collections or ethics policy? Yes \_\_\_\_\_ No X

Intend To \_\_\_\_\_

*Ann,  
 you can  
 address  
 this  
 from a  
 Service-wide  
 stand point.*

D. REPATRIATION (continued)

- Would you like a copy of the AAM statement on the substitute amendment to S. 187, the Native American Museum Claims Commission Act



---

Thank you for completing the Survey.  
Your answers will be kept confidential.  
Only aggregate information will be reported.

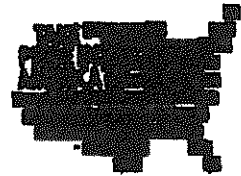
Please Return In Enclosed Envelope Or  
If You Have Access To A Facsimile Machine, Fax It To Us  
AAM FAX NUMBER: 202-737-0127

3 + MWR  
\_\_\_\_\_ Number of  
parks from which  
the above information  
was collected.

MWR Region



# United States Department of the Interior



NATIONAL PARK SERVICE  
P.O. BOX 37127  
WASHINGTON, D.C. 20013-7127

IN REPLY REFER TO:  
H1817(408)

Memorandum

AUG 19 1988

To: Regional Directors  
Attention: Regional Curators

From: ~~Acting~~ Associate Director, Cultural Resources

Subject: American Association of Museums Survey of Native American  
Skeletal Remains and Ceremonial Artifacts  
Reply Due: NLT August 30, 1988

On August 17, 1988, we received the attached letter from the American Association of Museums (AAM) asking for our input to a survey that will allow the AAM to respond to a request from Congress pertaining to S.187, "Native American Museum Claims Commission Act." In consultation with the Regional Curators, we have decided that, in spite of the short deadline, the National Park Service should respond and that our response should be in the following manner.

Each region is asked to complete the attached survey, summarizing the data on the collections in the region. These regional summaries will be compiled by the Curatorial Services Division into a Servicewide submission that will go to the AAM. Some regions indicated that they would gather the data by telephone and others will send the survey to the parks. In either case, an attempt will be made to collect the data from all applicable parks. We recognize, of course, that some small collections may be unintentionally overlooked due to the short deadline.

We have received the following clarification from AAM regarding the definition of ceremonial artifacts as it is used in the survey. The definition in the proposed legislation (S.187) refers to "ceremonial artifacts...necessary for the ongoing observance of a religious ceremony or ritual...." The AAM is using a strict interpretation of this definition. An object should be considered a ceremonial artifact only when that particular object is necessary to a ceremony or ritual. For example, a museum may have two medicine bundles, A and B. Both may be used in religious ceremonies. However, a certain religious ceremony cannot take place without medicine bundle A. Therefore, medicine bundle A is considered a ceremonial artifact and B is not, by this definition. According to this definition very few, if any, NPS objects will be considered ceremonial.

Thank you for your participation. Please magnafax the regional survey form to the Chief Curator by COB August 30, 1988. A negative response is requested.

Attachment

*Ronald T. Bowen*



American  
Association  
of  
Museums

August 12, 1988

Dear Colleague:

YOUR IMMEDIATE ATTENTION AND ASSISTANCE ARE NEEDED! We are writing to you with an URGENT request to provide AAM with the most accurate information possible about your museum's collections of Native American skeletal remains and ceremonial artifacts, your relationship with Native Americans, and any situations whereby the repatriation of such artifacts have (and have not) been achieved. Although many of you may not hold these materials in your museum's collections, we believe a membership-wide survey is critical to determine which museums would be affected by the pending legislation, and to make all AAM institutional members aware of the scope and impact of this issue.

As a result of a July 29 hearing by the Senate Select Committee on Indian Affairs on the substitute amendment to S. 187, the "Native American Museum Claims Commission Act," the AAM has agreed to provide the Committee with information on the size and nature of AAM's members' collections of skeletal remains and ceremonial artifacts of Native American origin.

This legislation would create a federal adjudicatory body to whom Native Americans may submit claims for the repatriation of skeletal remains and ceremonial artifacts in museum collections. The claims commission would have the authority to negotiate a "voluntary agreement" between the requesting tribal government and museum and issue an order mandating the disposition of remains and artifacts subject to the claim if such an agreement fails. On behalf of the museum community, the AAM opposes the legislation on the grounds that a federal commission would unnecessarily intervene in negotiations between the principal parties involved, creating an adversarial relationship between museums and Native Americans, and ultimately remove from museums their legitimate control of their collections.

In our continuing efforts to work cooperatively with the Select Committee, we must respond to Committee Chairman Daniel K. Inouye's (D-HI) request for additional information. The hearing record closes on August 31. Please fill out the enclosed survey as quickly and accurately as possible, whether you hold collections such as these or not, and return it to the AAM. Thank you for your assistance. The results of the survey will be reported only in the aggregate. Your response will be confidential; AAM will not report individual survey results.

Edward H. Able, Jr.  
Executive Director

Sincerely,

Geoffrey Platt Jr.  
Director of Government Affairs

Enclosures: Survey  
Repatriation Policy

1225 Eye Street  
Northwest  
Washington DC  
20005

Telephone  
(202) 289-1818

## AMERICAN ASSOCIATION OF MUSEUMS

### POLICY REGARDING THE REPATRIATION OF NATIVE AMERICAN CEREMONIAL OBJECTS AND HUMAN REMAINS

The contribution of Native Americans to the development of American society has been profound and has continuing influence on American life and culture. Museums too have contributed significantly to the development of American society. Museums have played an important role in the preservation of the rich and diverse culture of Native Americans. Through their collections, exhibitions and programs, museums have helped to underscore the inherent value and integrity of Native American culture and Native Americans' place as America's first inhabitants. Together with the Native American community, museums are helping to assure the survival of Native Americans' values, ideas and traditions into the twenty-first century and beyond.

Museums with Native American collections have a special responsibility to these collections in their preservation and use. These collections are often central to the understanding of Native American culture and to the preservation of the living heritage of the Native American. To fulfill this responsibility, museums should make their Native American collections readily accessible to the Native American community; reflect Native American values and traditions in the care and interpretation of these collections; and regularly involve Native Americans in museum programs concerning these collections. As part of this responsibility, museums should also seek the collaborative resolution of requests for the repatriation of human remains and ceremonial materials in their Native American collections.

The resolution of requests for repatriation is best accomplished on a case-by-case basis. Only by a case-by-case approach can proper consideration be given to the diversity of specific native communities and the ethical, fiduciary and legal responsibilities of individual museums.

As institutions devoted to collections of artistic, historic, and scientific objects, museums are ultimately responsible for the proper care and interpretation of their collections, including those of Native American origin. Sensitivity and respect for the meaning and value of such material must be realized within the context of the museum's mission to preserve, interpret and exhibit its collections.

In their responsibility to collections, museums should consider the changes in professional museum standards and practices through time. Many individual collectors, acting on behalf of museums, or museums acting on their own behalf, engaged in activities in the past that were aimed at assuring the preservation of elements of Native American culture and traditions that may not be considered ethical by today's standards. Museums are now faced with making difficult decisions regarding the relationship between the ethics of the past and the ethics of today.

---

The Policy on Repatriation of Native American Ceremonial Objects and Human Remains was adopted by the Council of the American Association of Museums, January 15, 1988.

In determination of requests for the repatriation of Native American materials, the ethics of today must prevail over the ethics of the past. Museums should act in accordance with current museum standards and practices in the acquisition, research, interpretation and deaccessioning of Native American collections.

The return of materials from museum collections to indigenous populations is both a domestic and an international issue. This policy statement, however, is not intended to apply to the international issue of repose for cultural property. The repatriation of Native American materials involves a unique set of legal issues and domestic considerations. This statement speaks only to the issue of repatriation of Native American ceremonial objects and human remains in the United States.

This policy addresses two separate and distinct types of collections: ceremonial objects and human remains.

#### CEREMONIAL OBJECTS

Ceremonial objects are those for which it can be demonstrated that the individual object is necessary to assure the continuation of the religious practices of a Native American group with both legal and cultural standing. Native Americans with a legitimate right to request repatriation are members of Native American groups claiming relation to the object and with legal and cultural standing.

A museum which possesses illegally acquired Native American ceremonial objects should repatriate those objects if requested to do so by Native Americans as previously defined. In negotiations to repatriate Native American ceremonial objects, museums should take the steps necessary to ensure that all parties address the issue of the preservation, when appropriate, of such objects.

In cases where the methods of acquisition of objects may have been technically legal at the time of acquisition but which may be considered unethical by standards either then or by standards since, museums should weigh both legal and ethical considerations when considering requests for repatriation. Museums should also weigh the value and benefit of such objects to their public mission with the interests of the requesting party. The specifics of all these considerations should be discussed with the legitimate groups.

For objects that have been legally and ethically acquired, museums should also give serious consideration to requests for repatriation. In such instances, the museum should weigh and balance the value and benefit of such



AAM Policy  
Repatriation  
page 3

objects to its public mission and purpose with the value and benefit of such objects to requesting Native American parties before making decisions. Thorough discussion between the museum and the requesting party is important to this process. In general, museums should be satisfied that the reasons for request of repatriation are more compelling than the reasons for retaining ownership of such objects. Museums should determine the legal conditions and potential liability of any deaccession for repatriation and act in accordance with the highest standards of well formulated collections policies.

(It is understood that "grave goods" may be different from ceremonial objects. However, in the examination of requests for repatriation, museums should consider this policy's treatment of ceremonial objects appropriate for repatriation requests of Native American grave goods).

#### HUMAN REMAINS

Museums which possess illegally acquired human remains should take steps to repatriate such remains upon request of the legitimate party concerned.

In cases where the methods of acquisition of remains may have been technically legal at the time of acquisition but which may have been unethical by standards either then or by standards since, museums should weigh both legal and ethical considerations when considering requests for repatriation and discuss with the requesting parties the specifics of these considerations.

Museums should weigh scientific interests with principles of Native American religion and culture and specifically demonstrate the existence of more compelling scientific interests if they are to retain historically recent (post-European contact) remains for which there is a direct relationship to existing Native American tribes, individuals or families.

Upon receiving a request for the return of human remains from the pre-European contact era and for which there exists a direct antecedent to specific Native American individuals, families, or groups, museums have a responsibility to weigh equally scientific values with Native American cultural values and basic human dignity. Unless there are compelling and overriding reasons to retain human remains under these conditions, museums should work with legitimate Native American descendants to return such remains.

For remains of both the pre- and post-European contact eras that lack such direct connections to existing individuals, families or tribes, Native Americans who request repatriation must demonstrate that there exist compelling religious or cultural values that transcend well established scientific interests on the part of museums in order for repatriation to occur. Museums should consider such requests for repatriation seriously and in good faith.

**COPY**

MIDWEST REGION

SURVEY OF NATIVE AMERICAN COLLECTIONS

± = APPROX. < = less than

CATEGORY					TOTAL
	EFMO	MOCI	PIPE	MWAC	MWR
# of objects in collection	± 8900	± 33,500	± 850	± 34,000	± 77,000
% that are Indian skeletal remains	<.003%	<.003%	0%	<.0003%	<.002%
% that are Indian ceremonial objects	0	0	5	0	5
# of skeletal remains in collect.	26	<100	0	± 10	about 110-125
% " " " pre-contact	100%	100%	N/A	100%	100%
% " " " post-contact	0%	0%	N/A	0%	0%
% owned by Park [SERVICE]	100%	100%	100%	50%	95%
% owned by other Fed. agencies	0	0	0	50%*	5%
% " " tribal govt.	0	0	0	0	0
% " " state "	0	0	0	0	0
% " " local "	0	0	0	0	0
% " " other	0	0	0	0	0
% w/o formal loan agreement	0	0	0	50%*	5%
Condition: needs conservation	0	0	0	0	0
Stable	inhumation fragments	cremation fragments	1	inhumation fragments	100's
good condition	0	0	3	0	3
exc. condition	0	0	1	0	1
Repatriation Requests/Returns:					
# requests - skeletal	1	0	N/A	0	1
# requests - ceremonial objects	0	0	0	0	0
# returns - skeletal	53	0	N/A	0	53
# returns - ceremonial objects	0	0	0	0	0

\* Represents 4-6 individuals from SI River Basin Surveys eventually will be sent to SI or other non-NPS repository. MWAC has 5-6 other individuals on loan from OZAR & EFMO.

# AAM Policy Regarding the Repatriation of Native American Ceremonial Objects and Human Remains

Although individual cases involving the repatriation of Native American materials from museums have been addressed by those concerned over the years, museums in America have not had available a comprehensive set of fundamental principles that might guide them when dealing with the complex and sensitive issues of repatriation. That lack was particularly obvious when Senator John Melcher (D-MT) last year introduced a bill that would establish a federal process of resolving disputes between museums and Native Americans regarding the repatriation of human skeletal remains and sacred artifacts.


The legislation largely assumed that museums and Native Americans had been antagonistic toward each other, and that Indian tribes had been unsuccessful in their attempts to repatriate the materials held in museums.

No document existed, however, that clearly spelled out the museum community's responsibilities in this difficult and sensitive area. Even Museum Ethics (1978), though it made reference to the issues of basic human dignity and the study of human remains and sacred objects, did not provide policy that would serve to guide museums.

On the recommendation of the Council of the American Association of Museums, which believed it essential to issue a policy statement on the repatriation of Native American remains, AAM president Robert Macdonald appointed a task force in the fall of 1987 and charged it with creating a policy for the museum community. The group included members of Indian descent, a nationally known expert in American Indian law, and the former director of a tribal museum. Under the chairmanship of AAM past president Joseph M. Chamberlain, the task force first met on September 28, 1987, in Chicago: Dan Monroe, president of the Oregon Art Institute; Michael Fox, director of the Heard Museum in Phoenix; Joalyn Archambault, director of the Smithsonian's North American Indian Program; George Abrams, chairman of the North American Indian Museums Association; Rennard Strickland, dean of Southern Illinois University's Lesar School of Law; Patterson B. Williams, director of education at the Denver Art Museum; Ray Thompson, director of the Arizona State Museum.

Over a period of several months, the group worked through a number of drafts—and the nuances of linguistic interpretation—to create the following policy document. The resulting paper, approved by the full AAM council at its mid-winter meeting in Washington on January 15, 1988, provides a groundwork perspective on issues for the museum community to consider. It is designed to help museums grapple with the legal, ethical, religious, and scientific questions involved in repatriation requests.

In its follow-up work on the issue, the AAM will offer a checklist of issues and case studies to further guide museums through what they must do when artifact return is requested. For more information, or additional copies of the following policy statement, contact the AAM.

 The contribution of Native Americans to the development of American society has been profound and has continuing influence on American life and culture. Museums too have contributed significantly to the development of American society. Museums have played an important role in the preservation of the rich and diverse culture of Native Americans. Through their collections, exhibitions, and programs, museums have helped to under-

score the inherent value and integrity of Native American culture and Native Americans' place as America's first inhabitants. Together with the Native American community, museums are helping to assure the survival of Native Americans' values, ideas, and traditions into the twenty-first century and beyond.

Museums with Native American collections have a special responsibility to these collections in their preservation

and use. These collections are often central to the understanding of Native American culture and to the preservation of the living heritage of the Native American. To fulfill this responsibility, museums should make their Native American collections readily accessible to the Native American community; reflect Native American values and traditions in the care and interpretation of these collections; and regularly involve Native Americans in museum programs concerning these collections. As part of this responsibility, museums should also seek the collaborative resolution of requests for the repatriation of human remains and ceremonial materials in their Native American collections.

The resolution of requests for repatriation is best accomplished on a case-by-case basis. Only by a case-by-case approach can proper consideration be given to the diversity of specific native communities and the ethical, fiduciary, and legal responsibilities of individual museums.

As institutions devoted to collections of artistic, historic, and scientific objects, museums are ultimately responsible for the proper care and interpretation of their collections, including those of Native American origin. Sensitivity and respect for the meaning and value of such material must be realized within the context of the museum's mission to preserve, interpret, and exhibit its collections.

In their responsibility to collections, museums should consider the changes in professional museum standards and practices through time. Many individual collectors, acting on behalf of museums, or museums acting on their own behalf, engaged in activities in the past that were aimed at assuring the preservation of elements of Native American culture and traditions that may not be considered ethical by today's standards. Museums are now faced with making difficult decisions regarding the relationship between the ethics of the past and the ethics of today.

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American ceremonial objects and human remains in the United States.

This policy addresses two separate and distinct types of collections: ceremonial objects and human remains.

### Ceremonial Objects

**C**eremonial objects are those for which it can be demonstrated that the individual object is necessary to assure the continuation of the religious practices of a Native American group with both legal and cultural standing. Native Americans with a legitimate right to request repatriation are members of Native American groups claiming relation to the object and with legal and cultural standing.

A museum which possesses illegally acquired Native American ceremonial objects should repatriate those objects if requested to do so by Native Americans as previously defined. In negotiations to repatriate Native American ceremonial objects, museums should take the steps necessary to ensure that all parties address the issue of the preservation, when appropriate, of such objects.

In cases where the methods of acquisition of objects may have been technically legal at the time of acquisition but which may be considered unethical by standards either then or by standards since, museums should weigh both legal and ethical considerations when considering requests for repatriation. Museums should also weigh the value and benefit of such objects to their public mission with the interests of the requesting party. The specifics of all these considerations should be discussed with the legitimate groups.

For objects that have been legally and ethically acquired, museums should also give serious consideration to requests for repatriation. In such instances, the museum should weigh and balance the value and benefit of such objects to its public mission and purpose with the value and benefit of such objects to requesting Native American parties before making decisions. Thorough discussion between the museum and the requesting party is important to this process. In general, museums should be satisfied that the reasons for request of repatriation are more compelling than the reasons for retaining ownership of such objects. Museums should determine the legal conditions and potential liability of any deaccession for repatriation and act in accordance with

the highest standards of well formulated collections policies.

(It is understood that "grave goods" may be different from ceremonial objects. However, in the examination of requests for repatriation, museums should consider this policy's treatment of ceremonial objects appropriate for repatriation requests of Native American grave goods.)

### Human Remains

**M**useums which possess illegally acquired human remains should take steps to repatriate such remains upon request of the legitimate party concerned.

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# United States Department of the Interior

NATIONAL PARK SERVICE  
EFFIGY MOUNDS NATIONAL MONUMENT  
BOX K

McGREGOR, IOWA 52157  
(319) 873-2356

IN REPLY REFER TO:

H2017

September 5, 1986

Maria Pearson, Chair  
Iowa Indian Advisory Committee  
Box 98  
Marne, Iowa 51552

Dear Ms. Pearson:

We recently met with State Archeologist Duane Anderson and Mark Lynott of the National Park Service's Midwest Archeological Center. Following that meeting and several conversations, we are now ready to transfer all skeletal material, tentatively identified as human, to Dr. Anderson's office. There the material will be classified as to its human or non-human origin. This may take some time because much of it consists of small fragments.

Once the classification study has been completed all human material that originated outside the boundaries of the Monument will be ready to be returned to the Native American community for reburial. We believe that this will account for about 75% of the total. The State Archeologist's Office will work with you on this.

The remainder of the material, that which originated within the Monument's boundaries, will be returned to this office. We will work with you then toward locating its ultimate repository.

Sincerely,

Thomas A. Munson  
Superintendent

cc: ✓ State Archeologist  
Lynott, MWAC  
Hunter, MWRO



# United States Department of the Interior



NATIONAL PARK SERVICE  
EFFIGY MOUNDS NATIONAL MONUMENT  
RR 1, BOX 25A  
HARPERS FERRY, IOWA 52146  
(319) 873-2356

IN REPLY REFER TO:

A4031 (EFMO)  
May 12, 1987

Effigy Mounds National Monument Staff Meeting Minutes

Present: Superintendent Thomas Munson (presiding), James David, Joyce Nading, Tom Sinclair, Rodney Rovang and Beverly Siglin.

## ADMINISTRATION

John Yates, Seasonal Ranger GS-03, entered on duty May 10.

The bicentennial banners are on display in the Museum. Reporters from the Waukon Newspaper, North Iowa Times and Prairie du Chien Courier Press have photographed the displays and will have feature articles in their newspapers this week, stories attached.

The VIP'S next scheduled meeting is dinner at Zach's, May 21, (6PM) to organize for the June bicentennial banner display beginning June 14th with an open-house on June 21st. Several have responded to the news release and will be creating banners within their groups.

April 30, Pat Heidenreich, local representative for the Audubon Society, visited on-site to discuss matters of mutual concern.

May 5, Odell Solem, Dept. of Transportation, visited EFMO to discuss common interests in the Ferguson Tract.

The MWAC crew arrived today and will be completing the photogrammetric aerial survey begun late last fall. Crew members are:

Jan Dial, Cathy Masters, Lori and Richard Rogers. They will be on-site for two weeks.

The status of funds was discussed and each division will itemize and place priorities on purchases for this fiscal year from the operating funds.

The use of VIP Fund of \$250 was discussed and it was encouraged that we decide soon what is the best possible use. The purchase of more uniform items was suggested and perhaps paying mileage for special projects. There is the possibility of extra funds if we preplan and send a written request to Region.

Any training interests should be reported to Bev Siglin for assistance in locating correspondence courses or in-house training arrangements. The overhead projector was purchased and the copier can make needed transparencies. Tom Munson has been investigating local private industry for borrowing of training materials.

Beverly Siglin will be working Saturday and Sunday to assist in the Seasonal Ranger Training scheduled for those two days.

Frank Palombo, MWR-ADP, will be on site Thursday and Friday, May 21 and 22.

#### INTERPRETATION

Rodney Rovang and David McIlrath participated in eight individual prescribed burns at Pipestone National Monument, April 27-30.

The new information desk was installed, Friday, May 8. Pat's Electric did the necessary electrical work.

All employees are asked to report hearing or seeing the public announcements, "Take Pride in America", featuring Hollywood actors. We are to report back to Region and/or WASO if local stations have not received the public announcements. The stations contacted so far have not received the announcements.

The division is preparing 10-238's for Natural Resources, which should be mailed no later than, Wednesday, May 20. The concentration is on the five year projection and must relate to the Resource Management Plan.

The State Archeologist's Office returned the EFMO human remains and the State Report on the remains has also been received. The human remains not of EFMO origin are scheduled to be transferred to the Native American Organization by the State Arch. Office.

May 5, an investigation was conducted concerning an unauthorized event at one of the bird mounds in the Marching Bear formation. The investigation is continuing. Evidence seems to point toward a group from the Art Institute of Chicago. If it holds up, it would relate to another pseudo-shamanistic rite carried out in the North Unit several years ago. In the 5 May incident, a red and white chalky substance, and colored string, was used to outline a bird mound. The effect was highlighted by 22 flares set around the perimeter. Damage to the mound was minimal.

A4031 (EFMD)

October 6, 1986

Effigy Mounds National Monument Staff Meeting Minutes

Present: Superintendent Tom Munson (presiding), Jim David, Rodney Rovang, Tom Sinclair, Joyce Nading and Beverly Siglin.

#### ADMINISTRATION

Odell Solem, Dept. of Transportation visited EFMD on Sept. 25th.

Mike Goze and family from the twin-cities visited October 5th. Mike worked as a seasonal ranger at the monument.

The large wooden NPS arrowhead sign recovered by the LaCrosse police department was picked up by Supt. Munson, October 2nd. The origin of the sign is unknown, but is the 18-20" used most often on a large entrance sign.

This is Fire Prevention Week.

The annual personal property accountability inventory will be distributed to appropriate divisions.

More seasonal applications, both ranger and maintenance, have been requested from Region Personnel Office. There has been considerable response to the news release announcing availability of 1987 summer seasonal applications.

A \$25.00 price has been quoted for the new donation box sign. The metal plate would be 5"x7" with block lettering, 2 week delivery time. A sign company in Dubuque has also been contacted, but that sign would be vinyl. After discussion the consensus was: \$25.00 was reasonable and vinyl would not be as attractive as metal.

#### INTERPRETATION AND RESOURCE MANAGEMENT

September 24th, Shirley Schirmer, State Arch. Office, picked up the human remains material collected inside and outside of the monument for study. The material collected inside the monument will be returned in April or May. Material originating from outside of the monument will be re-interred with assistance from the Iowa Indian Advisory Committee.

Laura Spess Jackson, Iowa Dept. of Natural Resources, is preparing a news release for the Oct. 18-19th "Hawk Watch."



Any training interests should be reported to Bev Siglin for assistance in locating correspondence courses or in-house training arrangements. The overhead projector was purchased and the copier can make needed transparencies. Tom Munson has been investigating local private industry for borrowing of training materials.

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THE ANALYSIS OF HUMAN SKELETAL REMAINS FROM THE MUSEUM COLLECTION  
AT EFFIGY MOUNDS NATIONAL MONUMENT

Alton K. Fisher and Shirley J. Schermer  
Office of the State Archaeologist  
The University of Iowa, Iowa City

CONTRACT COMPLETION  
REPORT

245

OFFICE OF THE STATE ARCHAEOLOGIST OF IOWA  
EASTLAWN, THE UNIVERSITY OF IOWA  
IOWA CITY, IOWA 52242



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THE ANALYSIS OF HUMAN SKELETAL REMAINS FROM THE MUSEUM COLLECTION  
AT THE EFFIGY MOUNDS NATIONAL MONUMENT

Alton K. Fisher and Shirley J. Schermer

INTRODUCTION

The U.S. Department of the Interior, National Park Service, Midwest Archeological Center, Lincoln, Nebraska, contracted with the Iowa Office of the State Archaeologist, the University of Iowa, Iowa City, to conduct an analysis of human skeletal remains that were in the museum collection at Effigy Mounds National Monument, Iowa (Purchase Order No. PX-6115-6-0166). This analysis was to identify the remains as to age and sex of the individuals represented, as well as to identify any evident pathologies and evidence relating to nutrition or cultural dietary practices if possible. The overall condition of the human skeletal materials turned over to our office for analysis was poor and fragmentary, limiting the amount of information that could be obtained from them. No field notes or other documentary data were available for the accession collections. At the completion of this analysis, all human remains from sites within the Effigy Mounds National Monument will be returned to the Park Service. All human remains from sites outside Monument boundaries will be reinterred by the Office of the State Archaeologist in the state cemetery developed for that purpose.

## SKELETAL ANALYSIS

The human skeletal remains from the Effigy Mounds collection were inventoried by accession number and examined to determine bone and tooth representation, demographic composition, skeletal and dental pathological lesions, and frequencies of skeletal markers that provide information about health, nutritional status, and environmental adaptation.

Cranial and postcranial measurements were taken using the techniques and definitions described in Bass (1971). Buccolingual and mesiodistal measurements were obtained from the in situ permanent and deciduous dentition, when tooth condition allowed, using needlepoint Helios dial calipers following the procedures and definitions designated by Goose (1963).

Estimates of age for subadults were based on dental calcification standards of Moorees et al. (1963a, 1963b), diaphyseal length of long bones (Johnston 1962), and comparison of bone size to that of subadults from a collection aged using dental development (Schermer and Owsley 1987). The criteria for age estimates of adults included assessments of the degree of epiphyseal closure (Krogman 1962; McKern and Stewart 1957; Ubelaker 1978), cranial suture closure (Krogman 1962), morphological changes in the auricular surface of the ilium (Lovejoy et al. 1985) and the pubic symphysis (Todd 1920), and general degenerative changes (Ubelaker 1978). Estimation of sex was based on evaluation of bone structures that show sexual dimorphism (Bass 1971; Black 1978; Dwight 1905; Krogman 1962; Pearson and Bell 1919; Iscan and Miller-Shaivitz 1984; Steele 1976).

All teeth were examined to assess dental health conditions. The dentition was examined macroscopically and radiographically for three pathological features: carious lesions, dento-alveolar abscesses, and hypercementosis. The alveolar bone was checked for evidence of periodontal dis-

ease. Dental attrition was scored using a coding system devised by Hinton (1981).

Enamel hypoplasias were scored to obtain information about environmental stress as expressed in terms of numbers of growth disruptions. The location, number, and severity of enamel hypoplastic defects were recorded. The position of each line was determined by measuring the distance (to 0.1 mm) from the midpoint of the defect to the cemento-enamel junction on the buccal or labial surface using a Helios dial caliper. These distances were converted into chronological ages following procedures outlined by Goodman et al. (1980:519-521). Transverse lines visible radiographically in femora and tibiae are the result of growth arrest and eventual resumption and can provide evidence of health stress, such as malnutrition or other illness (Harris 1933; Garn et al. 1966; Garn et al. 1968; Gindhart 1969). Unfortunately, the femora and tibiae in the Effigy Mounds collection were in too poor condition to provide this evidence.



1. Human Skeletal Remains from Mound 55, 13AM82,  
Effigy Mounds National Monument, Accession 1

Mound 55 is part of the Nezekaw Terrace Mound Group, 13AM82, which is located just across the footbridge from the Visitor's Center at Effigy Mounds National Monument. This site has also been called the Laird Farm Terrace site (OSA site sheet). Lewis (1892) recorded this mound group in his Notebook 32. Logan (1976) considers this site to be Middle Woodland, McGregor focus. A radiocarbon date from Mound 33 of this group is A.D. 1050  $\pm$  300 (Tiffany 1981:61).

The human skeletal remains in this accession collection were a mixture of burned and unburned bone and were very fragmented and incomplete. The skeletal material had been coated with a preservative without first removing dirt, which hindered observations. Further hindering the osteological analysis was that some of the remains were labeled "Md. 55", some "AM47", and some had no label. It is not known whether the material marked "AM47" was miscatalogued or if it had been misfiled and actually belongs with the Accession 49 collection (13AM47) or even possibly to Flynn Cemetery, 13AM43, but formerly AM47. Attempts to match the "AM47" material in this collection to the material in Accession 49 were unsuccessful. Further, the materials from the two accessions do not match in terms of condition of the bone. Accession 1 "AM47" material is a mixture of unburned bone and almost carbonized burned bone. While the material in Accession 49 is all burned or partially burned, it is white and gray to dark gray in color.

No field notes were available, and the only provenience information was based on little handwritten notes found in the boxes containing the skeletal parts. Locations were given within squares 5R2, 10R1, 10R2, 10R3, 15R1, 15R2, 15R3, and Square 6, as well as directions from "Skull"

and "Skull II" (but no locational information on where the skulls were found), and some remains with no provenience given other than Mound 55. The skeletal material was inventoried according to these locations (Table 1.1). All material marked "AM47" was so designated in the inventory.

One subadult, less than three years of age, is represented based on the unfused centrum of a vertebra. At least two adults were present based on two right temporal bones, paired patellae plus an extra fragment of a patella, and duplicated portions of two right clavicles. Of these two adults, one is possibly female (small mastoid process) and one possibly male (moderate to large mastoid process). One permanent tooth, a maxillary premolar, had been moderately abraded, Hinton (1981) score 3. No carious lesions were present.

Although a minimum of three individuals, one subadult and two adults, is indicated, more individuals were probably present. The fragmented and poor condition of the skeletal material and the lack of field notes severely limited the amount of information that could be obtained from this collection.

Table 1.1. Inventory of human skeletal remains from Mound 55, 13AM82, Accession 1.

**Directly under 5R2 stake (2'11" deep-5" above tooth)**

- 1 temporal bone, right, mastoid process (small), TMJ, external auditory meatus, part of petrous portion, unburned, "AM47"
- 1 fragment miscellaneous bone, unburned

**28" from surface, 5R1 stake 3'10"N-4'6"E, 5R2 square**

- 2 fragments miscellaneous bone, unburned

**1'2" deep, square 5R2, 4'9"N 2'0"E 5R1 stake**

- 33 small miscellaneous bone fragments, burned
- 4 unidentifiable pieces, heavily coated with dirt and preservative

**4'11"E 0'0"N 10R2 stake on line between 10R3 sq. and 5R2 sq. 2'11" deep**

- 1 scapula, fragment of acromion, unburned
- 2 small miscellaneous fragments, one burned, one unburned

**3'4"N 2'3"E 5R2 stake, 1'0"-1'6" from surface, 5R3 square**

- 15 miscellaneous bone fragments, burned, one "AM47"
- 3 probable long bone fragments, burned, two "AM47"
- 1 rib fragment, burned

**1'4"E-2'7"N of 10R1 stake, 3-3 deep, under 2 other bones**

- 1 temporal bone, right, mastoid process (moderate-large), external auditory meatus, part of petrous portion, burned, "AM47"
- 2 femur fragments of distal end, unburned, both "AM47"
- 2 patellae, incomplete, one left, one possibly right, both "AM47"
- 18 long bone shaft fragments, one burned, six "AM47"
- 10 fragments articular surfaces, two burned, eight unburned, five "AM47" including the two burned fragments
- 8 fragments of miscellaneous bone, two burned, one "AM47"

**10R2 square, 3'0" below surface, 0'3"S-0'3"W 15R2 stake**

- 1 innominate, fragment of ilium with edge of auricular surface and edge of greater sciatic notch, burned, "AM47"
- 1 femur, shaft fragment, unburned, gnawed postmortem, poor condition, "AM47"
- 1 humerus, middle third of shaft, left, partially burned or gives appearance (may be due to preservative used), some postmortem gnawing, "AM47"
- 1 humerus, distal fourth of shaft, partially burned or gives appearance, some postmortem gnawing, "AM47"
- 1 radius, shaft fragment, burned, "AM47"
- 1 miscellaneous bone fragment, burned, "AM47"
- 1 miscellaneous bone fragment, unburned

Table 1.1 (cont.)

**scattered finds, 10R2 square, 1'0" to 3'6" deep**

- 1 cranial fragment, unburned
- 1 long bone shaft fragment, unburned
- 11.9 grams of small burned and unburned fragments too small to identify

**0'10"W 0'8"E 10R2 stake, 10R2 square, 2'11" deep**

- 2 long bone shaft fragments that fit together, burned or give appearance
- 7 small shaft fragments, probably belong to above

**10R2 square, 1'4"E 2'7"N of 10R1 stake, 2'11" deep**

- 1 femur, incomplete head and neck, unburned, "AM47"
- 1 radius, shaft fragment, partially burned, "AM47"

**10R3 square, 2'0"S-1'10"E 15R1 stake, 3'1" deep**

- 7 long bone shaft fragments, possibly femur, unburned to partially burned, probably from same bone

**scraps of burnt bone located 1' right of 15R1 stake and 5'south of 00 stake, 4' deep**

- 2 cranial fragments, burned
- 1 mandible, fragment of condyle, burned
- 3 rib fragments, two burned
- 2 scapula fragments, unburned
- 1 clavicle fragment, burned
- 1 long bone shaft fragment, unburned
- 3 fragments or articular surfaces of long bones, two burned, one partially burned
- 1 fragment of patella, unburned
- 1 cuboid, incomplete, unburned
- 1 navicular, hand, left, partially burned
- 1 phalanx, fragment, burned
- 9 miscellaneous fragments, two unburned, seven burned

**23" east of 15R1 stake, 21" from wall, 3'1(?)" deep**

- 2 rib fragments, one burned
- 2 ulna fragments, proximal end, fit together, left, partially burned or gives appearance
- 2 ulna shaft fragments, fit together, burned
- 1 radius, proximal end, burned
- 4 fragments of articular surfaces, two burned
- 2 long bone shaft fragments, burned
- 1 shaft fragment from small bone, possibly phalanx, burned
- 1 phalanx, hand, partially burned or gives appearance
- 1 metacarpal, distal end, partially burned
- 3 miscellaneous fragments, two burned

**Teeth found 2' right of 15R2 stake and 6' south of 00 stake, approx. 3'2" deep**

- 1 miscellaneous bone fragment, unburned
- 1 permanent premolar, maxillary, probably right, Hinton score 3
- 4 tiny tooth fragments

Table 1.1 (cont.)

2'11" deep, 15R3 sq., 1'6"W-1'0"N 15R3 stake

- 6 long bone shaft fragments, burned
- 5 miscellaneous bone fragments, one burned

Sq. 6, 1'1"N-0'10"W, 3'11" BD

- 1 femur, shaft fragment, burned

6" east of Skull II and 6" south, at same level

(all burned except one fragment, almost carbonized)

- 1 scapula, left, fragment, incomplete glenoid fossa, notch between it and acromion/spine, and fragment of spine, "AM47"
- 1 scapula, fragment, spine, could go with above, "AM47"
- 1 scapula, fragment, acromion, could go with above, "AM47"
- 1 scapula, fragment, glenoid fossa, could go with above, "AM47"
- 1 clavicle, right, acromial two-thirds, two pieces that fit together, both "AM47"
- 1 sternum, fragment, body
- 1 vertebra, unfused centrum, less than three years of age
- 1 fragment head of femur or humerus, "AM47"
- 1 fragment, shaft of fibula or ulna
- 5 miscellaneous bone fragments, one unburned, one "AM47"

Same level and 2'1" south of Skull I

- 4 rib fragments, partially burned, three "AM47"
- 1 humerus, right, five pieces that fit together, distal 2/3-3/4 of shaft (about the same size as humerus from 10R2 sq. 0'3"S-0'3"W of 15R2 stake), partially burned or gives appearance, four of five pieces "AM47", least circumference=65 mm
- 10 miscellaneous bone fragments, burned, one "AM47"

14" south and 9" west of Skull I at same level

- 3 rib fragments, two burned
- 1 vertebra, fragment of arch, cervical or thoracic
- 1 ulna, right, two fragments that fit together, proximal 1/4, part of olecranon process missing (size compatible with left ulna from 23"E or 15R1 stake, 21" from wall, 3'1(?)" deep), burned
- 7 shaft fragments, from ulna or fibula, two burned
- 4 miscellaneous bone fragments, three burned

small box no note

- 5 rib fragments, three burned
- 1 fragment, possible clavicle, burned
- 1 metacarpal, distal half, burned
- 5 miscellaneous bone fragments, burned

"no other provenience data"

- 3 vertebral fragments, 2 body fragments (one burned), one arch frag.
  - 1 clavicle, right, sternal half, sternal end damaged postmortem, partially burned
  - 2 long bone shaft fragments
  - 24 miscellaneous bone fragments, unburned
  - 15 miscellaneous bone fragments, burned
-

2. Human Skeletal Remains from Sny Magill, Mound 7, 13CT18,  
Effigy Mounds National Monument, Accession 5

Human skeletal remains were recovered from Sny Magill, Mound 7, 13CT18. Woodland ceramics and projectile points from the same accession are in the Effigy Mounds repository. Numerous sources have cited the Sny Magill Mound Group (Lewis 1885; Orr 1935,1942; Starr 1897; Tiffany 1978; Mallam 1976; Logan 1976; Keyes's County Notes). Numerous radiocarbon dates are available for this site (Tiffany 1981:61) ranging from 550 B.C.  $\pm$  250 to A.D. 1520  $\pm$  200 (from Mound 24).

The skeletal material was very limited and fragmentary and in extremely poor condition. One small box contained a handwritten note with the following information: Bone fragments Sny Magill, Mound 7

1. 1'5", 2'18" SE 3'0" NE Sq.4

other measurements

2. 1'6" deep 3'0" SE, 2'6" NE

3. 1'6" deep 2'10" SE, 3'4" NE.

The skeletal material with this note consisted of one small cranial fragment, one long bone shaft fragment (possibly femur), one fragment of an articular surface (possibly head of femur), and one fragment of a tarsal bone. Another small box with a note "Sny Magill Mound 7" contained 17 very small cranial fragments and 15 tiny miscellaneous bone fragments.

A minimum of one individual was represented by these remains. This individual was probably adult based on the thickness of the cranial bone and long bone shaft fragment. No estimate of sex could be made. No evidence of any pathologic conditions was observed on the very limited remains.

3. Human Skeletal Remains from the Highway 76 Rockshelter,  
13CT231, Accession 8, Effigy Mounds National Monument

Human skeletal remains were recovered from the Highway 76 Rockshelter, 13CT321, a rockshelter with Woodland cultural associations; some materials in the collection may be from a separate site. Wil Logan had conducted an excavation at this site, then named the Highway 13 Rockshelter, in September 1954. This rockshelter also contains several petroglyphs that may be of prehistoric origin (OSA site sheet).

This collection of skeletal parts was not complete for any individual but represented a random assortment of bones from several individuals ranging in age from a fetal infant to adults. The inventory of skeletal parts can be found in Table 3.1. Seventy-three assorted tiny bones and epiphyses clearly indicated the skeleton of a near term fetus. The remains of at least two newborn infants were indicated by three femora, two tibiae, a left ilium, and one vertebral centrum. The greater sciatic notch of the ilium was broad. The remains of at least three infants between the ages of 6 and 12 months were suggested by diaphyses of three left humeri, a right ischium, and a right pubis. Another right ischium suggested a child between 1 and 2 years old.

A left ulna diaphysis approximately 118 mm long was from a child between 4 and 5 years old. A child between 5 and 6 years old was indicated by a left maxilla with deciduous and permanent molars in situ. The diaphysis of a left femur 255 mm long was from a child around 8 years old. The unfused right ilium with wide greater sciatic notch suggested a possible female around 10 or 12 years old.

Three left fibulae were conclusive proof of the inclusion of the remains of at least three adult individuals in this collection. The one complete adult femur had the metric characteristics of a male. Two right

adult pubic bones were from male individuals, one of whom was between 30 and 35 years of age and the other 50 years of age or older at the times of death. The third adult was a female as indicated by the wide greater sciatic notch of an incomplete right innominate bone.

The single complete adult femur in this collection had male metric characteristics. Its maximum length was 433 mm. The stature of this individual was estimated to be  $165.66 \pm 3.80$  cm as calculated by the regression equations of Trotter and Gleser (1958) for Mongoloid males.

A summary of the minimum number of individuals represented in this collection of skeletal parts is:

- 1 fetus
- 2 infants, newborn or nearly so
- 3 infants between 6 and 12 months old
- 1 child between 1 and 2 years old
- 1 child between 4 and 5 years old
- 1 child between 5 and 6 years old
- 1 child around 8 years of age
- 1 child between 10 and 12 years old, female
- 1 adult female
- 1 adult male between 30 and 35 years old
- 1 adult male 50 years of age or older

Only one unique type of pathologic change was observed in two bones: an adult vertebral body and an incomplete right innominate bone from an adult female. The lesion in each bone was a lobulated cystic space with smooth walls similar to cortical bone. The character of the lining bone suggested relatively stable lesions without any significant inflammatory component. This type of abnormality occurs infrequently and is consistent with the slow-growing benign neoplasm designated as a chondromyxoid fibroma (Aegerter and Kirkpatrick 1968). The infrequency of this disorder suggested that the lesion in the vertebra and the right innominate bone were from the same female skeleton.

A broken and incomplete cranium with several of its fragments clearly



marked CT26 was included with the material of Accession 8. It seems likely that the marking CT26 referred to the mound group on the bluff top known variously as the Pleasant Ridge Mound Group, the Jennings-Liebhart Mound Group, Marching Bear Mounds, and the Marquette-Yellow River Mound Group 5. It is possible that inclusion of this cranium in Accession 8 was quite accidental. The occipito-sphenoidal suture was unfused. Upper permanent first molars were in functional occlusion at the time of death and showed only slight attrition without exposure of dentin. The permanent second molars were beginning to erupt. The permanent third molar crowns, to judge from the left one still in situ, were not fully formed. Permanent premolars and canines were still in their crypts. The dental evidence suggested that this child was 11 years old  $\pm$  30 months. Only the left first and second, and the right second deciduous molars remained in situ. After approximately 8 or 9 years of use, attrition of these teeth was quite modest, exposing dentin mainly at the cusp tips. The only significant pathologic change noted in this cranium was small clusters of tiny perforations in the anterior one-third of the roof of each orbit. This pathological condition, designated as cribra orbitalia, is believed to be an expression of malnutrition and its effects on the hematopoietic tissues. Malnutrition might be caused by dietary deficiency that could be the result of an over dependence on incomplete foods, such as maize and beans. It might also be caused by digestive malabsorption arising from chronic diarrheal diseases and intestinal parasitic infections. The other cranial bones showed no related changes which, when severe, could be designated as spongy hyperostosis (Steinbock 1976).

Table 3.1. Inventory of human skeletal remains from the Highway 76 Rockshelter, 13CT231, Accession 8.

- 29 teeth, loose, permanent, extensively abraded, could have come from the same individual, middle aged or older
- 2 teeth, loose, permanent, lower left premolar with incompletely formed root apex (11-12 years) and upper left lateral incisor with slightly abraded incisal edge
- 1 maxilla, left, deciduous molars in situ, first permanent molar still in crypt but root was being resorbed (5-6 years)
- 1 zygoma, right, from 4-6 year-old child
- 1 occiput, fragment of squamous portion
- 5 cranial vault bone fragments
- 5 vertebrae, cervical, adult
- 5 vertebrae, thoracic, adult
- 8 vertebrae, lumbar, adult, one with lobulated cystic lesion of body
- 2 vertebrae, thoracic, subadult
- 1 vertebra, lumbar, subadult
- 1 vertebral arch, thoracic (5-7 years)
- 1 vertebral arch, cervical (3-4 years)
- 2 vertebrae, cervical, infant
- 3 vertebral bodies, young child
- 1 vertebral body, newborn infant
- 23 ribs and rib fragments
- 5 sternum fragments
- 2 clavicles, left and right, possibly a pair, adult
- 1 clavicle, right, adult
- 1 clavicle, left, much smaller, lacks sternal epiphyses (8-10 years)
- 1 scapula, right (3-6 years)
- 1 scapula, right, fetal or newborn
- 1 humerus, right, adult, male (vertical diameter of head 48 mm, transverse diameter 46 mm)
- 1 humerus diaphysis, left, length 78 mm, infant around 1 year old
- 1 humerus diaphysis, left, length 72 mm, infant between 0.5 and 1 year
- 1 humerus diaphysis, left, length 62 mm, infant not older than 6 months
- 1 humerus distal end, without epiphysis, left (8-10 years)
- 1 humerus, shaft, fragment, left (8-10 years)
- 1 ulna, proximal third, left, adult
- 1 ulna, distal end, left, adult
- 1 ulna, left, without epiphyses, length (est.) 118 mm (4-5 years)
- 1 radius, right, adult
- 1 radius, right, proximal half, without epiphysis (8-10 years)
- 1 innominate bone, incomplete, right, wide greater sciatic notch, prominent preauricular sulcus, lobulated cystic lesion in ischial portion, adult, female
- 1 pubic bone, right, male, Todd Phase VI, 30-35 years old
- 1 pubic bone, right, male, Todd Phase X, 50 years or older
- 1 ischium, pubic ramus, left, adult
- 1 pubic bone, left (4-5 years)
- 1 ischium, right (1-2 years)
- 1 ischium, right, newborn to 1 year old
- 1 pubic bone, right, newborn to 1 year old

Table 3.1 (cont.)

- 1 ilium, right, wide greater sciatic notch, unfused, female (10-12 yrs)
  - 1 ilium, left, wide greater sciatic notch, female, newborn infant
  - 1 femur, right, length 433 mm, vertical diameter of head 48 mm, midshaft circumference 80 mm, adult, probable male
  - 2 femora, left and right, length 69 mm, late fetal or early newborn infant
  - 1 femur, incomplete, late fetal or early newborn infant
  - 1 femur, left, without epiphyses, length 255 mm, child around 8 years
  - 1 femoral distal epiphysis, bicondylar diameter 58 mm, child around 8 years old
  - 1 femoral distal epiphysis, bicondylar diameter 67 mm (10-12 years)
  - 1 tibia, left, proximal two-thirds, without proximal epiphysis, child around 12 years old
  - 2 tibiae, left and right, length 63 mm, late fetal or early newborn
  - 1 tibia, left, length 375 mm, circumference at nutrient foramen 96 mm, adult male
  - 3 fibulae, left
  - 3 fibulae, right (1 complete, 2 fragmentary), adult
  - 1 patella, right, adult
  - 3 calcanea, adult, 3 different sizes
  - 2 calcanea, without epiphyses, subadult, different ages
  - 2 cuboid bones, right and left
  - 1 cuboid bone fragment
  - 3 naviculars (1 is fragmentary)
  - 1 cuneiform, third
  - 2 hamate bones
  - 2 capitate bones
  - 1 lunate bone
  - 1 humerus head epiphysis, child around 10 years old
  - 1 femur head epiphysis, child around 10 years old
  - 1 tibia distal epiphysis, child between 6-10 years
  - 7 epiphyses, infant bones
  - 8 metacarpals, adult
  - 5 metatarsals, adult
  - 37 phalanges, hand, adult
  - 13 phalanges, foot
  - 12 distal phalanges
  - 73 assorted bones and epiphyses from fetal skeleton
-

#### 4. Human Skeletal Remains from the New Albin Rockshelter, Accession 13

A human skull was recovered from the floor of a rockshelter, exact location unknown, south and west of New Albin, Iowa. Reportedly, a game warden turned over the remains to the Effigy Mounds National Monument. No additional information was available.

The remains were limited to one complete skull. All teeth were erupted and present except the right maxillary M3 and right mandibular I1 and I2 which were lost postmortem. Cranial measurements are recorded in Table 4.1. Dental measurements are in Table 4.2. No suture closure had occurred either endocranially or ectocranially except for the basilar suture which had fused. The apical tip of the M3 was still open slightly, corresponding to approximately 18-20 years of age (Moorrees et al. 1963a). Very little dental wear had occurred on any teeth, with only slight blunting of molar cusps (Hinton's 2 for M1, 1 for M2, and no observable wear on M3).

Overall, the skull had a gracile appearance with very slight muscular development in the supraorbital region and the occiput. The superior margins of the eye orbits were sharp. The mastoid processes were small. The mandible had a rounded, somewhat pointed chin, and the gonial angle measured 122°. This individual gave every appearance of being a female except for the gonial angle which fell in the male range.

There were several small developmental pits in the occlusal surface of the mandibular molars, but none were carious. A developmental pit in the left maxillary M3 had led to a small carious lesion in the occlusal surface. A healed lesion or fracture had left a blunt oval depression on the frontal bone 47 mm above the nasal suture which measured 11.3 x 6.4 mm.

Several enamel hypoplasias, multiple smooth narrow defects, were counted and measured with the most numerous on the incisors and canines (2-6 each tooth). No porotic hyperostosis or cribra orbitalia was present.

In summary, the skull from the New Albin Rockshelter was that of a young adult, 18-20 years of age, probably female. Pathologic conditions included one carious lesion, a healed lesion or fracture on the frontal bone, and several enamel hypoplasias suggestive of environmental stress.

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Table 4.1. Cranial measurements (in mm) and indices for the New Albin  
Rockshefter Burial, Accession 13.

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CRANIAL MEASUREMENTS (mm)

Maximum cranial length	162
Maximum cranial breadth	144
Basion-Bregma height	122
Porion-Bregma height	114
Basion-Porion height	11
Auricular height	114
Minimum frontal breadth	94
Total facial height	119
Upper facial height	71
Bizygomatic breadth	130
Nasal height	52
Nasal breadth	25
Orbital height	36
Orbital breadth	40
Maxillo-alveolar length	46
Maxillo-alveolar breadth	64
Palatal length	42
Palatal breadth	42
Basion-Nasion length	95
Basion-Prosthion length	90
Bicondylar breadth	120
Bigonial breadth	97
Length of ramus	50
Minimum breadth of ramus	30
Height of mandibular body	28
Length of mandibular body	80
Height of symphysis	32
Gonial angle	122

CRANIAL INDICES

Cranial Module	142.67
Cranial Index	88.89
Cranial L-H Index	75.31
Cranial Br-H Index	84.72
Mean Basion-Ht. Index	79.74
Mean Porion-Ht. Index	74.51
Auricular Mean Ht. Index	74.51
Flatness of Cranial Base	9.02
Fronto-Parietal Index	65.28
Total Facial Index	91.54
Upper Facial Index	54.62
Nasal Index	48.08
Orbital Index	90.00
Maxillo-Alveolar Index	139.13
Palatal Index	100.00
Gnathic Index	105.56

Table 4.2. Dental measurements (in mm) for the New Albin Rockshelter Burial, Accession 13.

	<u>Left</u>		<u>Right</u>	
	<u>BL</u>	<u>MD</u>	<u>BL</u>	<u>MD</u>
<u>Mandible</u>				
I1	5.6	5.0	-	-
I2	5.5	6.4	-	-
C	7.1	6.8	6.7	6.7
P1	7.2	6.9	7.2	6.5
P2	7.6	6.3	7.5	6.3
M1	10.1	10.8	10.1	11.0
M2	9.7	10.0	9.6	10.3
M3	9.5	10.3	10.0	10.5
<u>Maxilla</u>				
I1	6.5	8.6	6.6	8.8
I2	6.0	7.0	5.4	7.1
C	7.3	7.6	7.3	7.4
P1	8.7	(5.7)	8.4	6.0
P2	8.4	6.1	8.3	5.7
M1	10.8	9.7	10.8	9.4
M2	10.6	8.9	10.5	8.7
M3	11.3	8.4	-	-

Parentheses indicate estimate

5. Human Skeletal Remains from Elephant Terrace,  
13AM59, Accession 14

Human skeletal remains were recovered from the Elephant Terrace, 13AM59, formerly 13AM106. Information from the Office of the State Archaeologist site records indicates this site contains Archaic, Early, Middle, and Late Woodland components and Oneota village and burial components. Additional human skeletal material from this site is in the Keyes Collection, Iowa State Historical Society, Iowa City.

The human skeletal material in this collection was fragmented and in fair condition (Tables 5.1 and 5.2). All long bones had been broken post-mortem. There had been extensive damage to the medullary cavities so no radiographs were made. Measurements were taken where possible (Tables 5.3 and 5.4). Arbitrary labels (A, B, etc.) were given to various bones within their element group and do not indicate that the bones are from the same individual. Both adults and subadults were represented.

An incomplete clavicle and radius compared in size to those of a small child 1-3 years of age. Mandible E and several loose teeth suggested the presence of a child 5.5-7.0 years of age based on degree of dental development (Moorrees et al. 1963a, 1963b). An incomplete tibia, humerus, and ulna were compatible in size to a child this age. An incomplete frontal bone with unfused coronal suture and younger looking appearance may also belong to this individual. Mandible B and Mandible D may possibly belong together. Both have fully erupted M3 with roots completely formed but apices not closed. Only minimal wear had occurred on any teeth. A loose maxillary M3 had similar root development. The coracoid epiphysis of a scapula was not completely fused. Neither the distal epiphysis of a full-sized fibula nor the proximal epiphysis of a full-sized tibia was fused. One of the humeri present had a fused distal epiphysis and unfused proxi-



mal epiphysis. One ulna and one radius had proximal epiphyses fused but distal epiphyses unfused. Two metacarpals had incompletely fused distal epiphyses with the epiphyseal lines clearly visible. All of the above evidence suggested the presence of a young adult 16.5-18.0 years of age.

The auricular surfaces of two left innominates allowed aging using Lovejoy et al. (1985). One, from a male individual, was dense with a loss of granulation and marked surface irregularity. No transverse organization remained, and there was no macroporosity. There was a definite lip around the margins, including the area of the apex. The retroauricular area was missing. These morphological changes correspond to those of an individual 50-60 years of age. A single pubis, probably from a male but not appearing to belong to the above individual, fits with Todd's (1920) IX, suggesting an age of 45-50 years. The other left innominate also had the retroauricular area missing. The auricular surface was coarsely granulated. Striae were visible but becoming lost. Some lipping was present at the apex. There were no distinct areas of densification. Some macroporosity was visible. These changes correspond to those of an individual 40-50 years of age. The pubis of the incomplete right innominate is that of an older female corresponding to Todd's IX-X, or 45<sup>+</sup> years of age, and may belong to the same individual. The only other indicators that might suggest age were the extreme dental attrition of Mandible A/C, corresponding to Hinton's (1981) 6 to 8 with severe crown loss, suggesting an older individual; slight arthritic lipping on the joint surfaces of several bones; and compression fractures of two thoracic vertebral bodies.

The presence of at least one male and one female is suggested by mandibles. Mandible A/C had a gonial angle of ca. 115° with a somewhat squared chin, suggesting a male, while Mandible B/D had a gonial angle of 131°, which falls in the female range. A small mastoid process indicated

the presence of at least one female. The sacrum also suggested one male, sacrum pronouncedly curved, and one female, sacrum flatter with width of first sacral body (42 mm) almost equal in width to each ala (39 mm). The three innominates with one sharp and two broad greater sciatic notches suggested the possible presence of one male and two females. The right and left innominates with broad sciatic notches, however, may belong to the same female. Femora A and D are probably a pair with measurements that fall into the female range. Femur B and Femur C are both lefts and have measurements that fall into the male range. The circumference of the tibia at the nutrient foramen of the two fully developed adult tibiae suggested the presence of one female (72 mm) and one male (95 mm). The circumference of the tibia belonging to the 16.5-18 year old falls well into the female range (76 mm). The vertical diameter of the head of Humerus B was 38 mm which is in the female range. The vertical diameter of the head of Humerus G was 49 mm which is in the male range. The size of two additional unmatched humeri suggested the possible presence of an additional male and female. The maximum length of tali indicated the presence of two females and one male. This combined evidence suggests the presence of two males and two females. Considering the evidence suggesting both age and sex, the human skeletal remains from Elephant Terrace indicated the presence of possibly four adults: one female ca. 16.5-18.0 years of age, one female ca. 40-50 years of age, and two males, either both elderly, one ca. 45-50 years of age and one ca. 50-60 years, or, one in the 45-60 year range and the other of unknown age.

The dental health of the individuals from Elephant Terrace varied. As mentioned, the teeth in Mandible A/C were severely abraded. A carious lesion was present mesially at the CEJ on the right M3. The right M2 had been lost antemortem with the socket beginning resorption. The right M1

and left M2 and M3 had also been lost antemortem with complete resorption of the sockets. Enlarged rounded areas in the alveolar bone at the root apices of the right C, P1, and P2 were suggestive of periapical granulomas. A loose maxillary molar was as abraded as the teeth in this mandible and also had a carious lesion at the CEJ. No other teeth in this collection had carious lesions, so dental caries appears to have been limited to a single individual. Six additional loose teeth had also been severely abraded and could have belonged to this individual. Minimal wear had occurred on the teeth from Mandible B/D with a score of 2 to 3 (Hinton 1981) on M1, 1 to 2 on M2, and only 1 on M3. Maxillae F and G both had M1s that had been abraded to the degree of Hinton's score of 6, with M2s scoring 2. Six more loose teeth were also recovered with slight to moderate attrition.

Several pathologic conditions were observed in the remains from this collection. Three of the five lumbar vertebrae were probably from the same individual. One had moderate lipping on the margins of the body and facets with osteophytes on the surface of the superior facets. The superior surface of the body was damaged somewhat postmortem but appears to have had two lesions, one centrally located and one on the right side. There had been some anterior compression of the body. The other two vertebrae had moderate to severe lipping on the margins of the body and facets with slight to moderate porosity of the body surfaces. No lesions were observed in either body.

The left subadult tibia had slight periostitis on the proximal half of the distal half which showed evidence of some healing. The right adult tibia, a distal third, had widespread periostitis that appeared active except in a few small smoothed areas on top on the bone buildup where some healing apparently had occurred. Excess osteophyte formation was pro-

nounced in areas of muscle attachments.

No evidence of environmental stress was observed in the fragmented remains. The labial surface of most teeth was masked by dirt and preservatives but where possible to observe no enamel hypoplastic lines were present. No cribra orbitalia or porotic hyperostosis was observed.

In summary, two subadults, 1-3 years of age and 5.5-7.0 years of age, and five adults were represented in the skeletal material from Elephant Terrace, 13AM59. One individual, an older male, suffered from dental caries and periodontal disease. Lesions were observed in a lumbar vertebra. Two individuals, one subadult and one adult, had tibiae afflicted with periostitis.

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Table 5.1. Inventory of human skeletal remains from the Elephant Terrace, 13AM59, Accession 14.

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- 9 parietal bone fragments
- 3 occipital bone fragments, one basilar, two squamous portion
- 2 temporal bones, one left with mastoid process (small), external auditory meatus, TMJ, zygomatic process, petrous portion; one fragment of petrous portion
- 7 frontal bone fragments, six pieces fit together for one indiv. includes nasal suture area and most of left half of frontal bone, very smooth supraorbital area, superior orbital margin somewhat blunt
- 2 zygomas, one left, one right, not a pair
- 3 sphenoid fragments
- 6 miscellaneous cranial fragments
- 2 maxilla, one left, labeled "F"; one right (inferior half) "G"
- 1 mandible, superior half ramus missing postmortem on right, completely gone on left, labeled "A" and "C"
- 1 mandible, right half complete to just beyond genial tubercles, labeled "B"
- 1 mandible, left, posterior half, body from M2 to complete ramus, labeled "D"
- 1 mandible, left, subadult (ca. 5.5-7 years of age), labeled "E"
- 2 mandible fragments, one coronoid process that could match mandible "E", one right ramus from adult mandible
- 4 loose teeth, subadult, one I2, one C, one M3, one dm2
- 13 loose teeth, seven very worn, six with slight to moderate attrition
- 7 ribs, left, incomplete
- 1 rib, right, first
- 21 rib fragments
- 2 ribs, subadult, left, incomplete
- 4 rib fragments, subadult
- 1 vertebra, fragment of body, bilowy surface
- 1 vertebra, fragment of axis, unfused tip of Dens epistropheus
- 1 vertebra, cervical, arch and body fused but surface of body still bilowy
- 3 vertebrae, cervical, adult, one complete, one incomplete axis
- 4 vertebrae, thoracic, adult, two complete, two incomplete
- 5 vertebrae, lumbar, adult, three complete probably from same individual, two incomplete
- 4 vertebral fragments
- 1 scapula, left, glenoid fossa, superior 1/8 of axillary border, inferior 1/8 coracoid, epiphysis on coracoid not completely fused (slightly younger than 15-18 years of age)
- 1 scapula, right, glenoid fossa, acromion, inferior 1/4 coracoid, slight lipping on margins of glenoid fossa
- 1 clavicle, right, missing sternal end, acromial end damaged slightly postmortem
- 1 clavicle, central third

Table 5.1(cont.)

- 1 clavicle, sternal two-thirds, unfused sternal epiphysis, small in size (ca. 1-3 years of age)
- 1 sacrum, inferior two-thirds, fused, slight lipping on margins of iliac articular surfaces, pronounced curvature
- 1 sacrum, superior half to two-thirds, somewhat fragmentary, curve appears flatter, segments fused, moderate lipping on margins of lumbar and iliac articular surfaces, width of body 42 mm, width of ala 38 mm, maximum anterior breadth 119 mm
- 3 sacral fragments
  - 1 innominate, left, inferior two-thirds ilium, ischium, greater sciatic notch sharp, slight lipping on margins of acetabulum
  - 1 innominate, left, inferior two-thirds ilium, ilial half of pubis, greater sciatic notch broad, preauricular sulcus, slight osteophyte development superior border of acetabulum
  - 1 innominate, pubis, right, probably male
  - 1 innominate, right, antero-inferior fourth of ilium, ischium, and pubis, slight lipping margins of acetabulum and slight osteophyte development superior border of acetabulum, greater sciatic notch broad
- 1 femur, left, proximal 7/8, distal end missing, labeled "A"
- 1 femur, left, proximal half, labeled "B"
- 1 femur, left, proximal 7/8, distal end missing, labeled "C"
- 1 femur, right, proximal 7/8, distal end missing, surface of shaft weathered, labeled "D", probably pair with femur "A"
- 1 patella, left
- 1 fibula, distal two-thirds, distal epiphysis not fused, shaft diameter/circumference smaller than adult fibulae
- 2 fibulae, distal 3/4, left and right
  - 1 fibula, midshaft, large size
  - 2 fibula fragments, one right proximal, one distal
- 1 tibia, left, distal half shaft, two small sections of unfused epiphyseal end shows epiphysis not fused, bone not full-size, slight periostitis on proximal half of the distal half present, shows evidence of some healing, labeled "A"
- 1 tibia, left, proximal two-thirds shaft, epiphysis not fused, bone appears full-size or close to full-size, labeled "B"
- 1 tibia, left, distal 7/8, missing proximal end, labeled "C"
- 1 tibia, left, virtually complete but broken postmortem, anterior surface of distal 1/4 is missing, labeled "D"
- 1 tibia, right, distal half to two-thirds, labeled "E"
- 1 tibia, right, distal end, labeled "F", similar size to tibia "D"
- 1 tibia, right, distal third, end damaged postmortem, widespread periostitis, active, does not appear to match any left tibiae, labeled "G"
- 1 tibia fragment of proximal epiphysis
- 1 humerus, left, proximal end missing, labeled "A"
- 1 humerus, left, complete, proximal epiphysis unfused, lateral epicondyle damaged postmortem, small septal aperture, labeled "B"
- 1 humerus, left, distal half, moderate septal aperture, labeled "C"
- 1 humerus, left, complete except lateral half of distal end and head missing, labeled "D"

Table 5.1 (cont.)

1	humerus, shaft fragment from small individual or subadult, labeled "E"
1	humerus, right, proximal half shaft, labeled "F"
1	humerus, right, complete, labeled "G", possibly pairs with humerus "D"
2	fragments humerus head
1	humerus, unfused proximal epiphysis, possible mate of humerus "B"
1	ulna, left, small individual or subadult, proximal 1/4 only, olecranon process missing, most of articular surface damaged postmortem, labeled "A"
1	ulna, left, olecranon process and distal end missing, labeled "B"
1	ulna, left, proximal half, part of olecranon process damaged, labeled "C"
1	ulna, left, proximal half, labeled "D"
1	ulna, left, complete, distal end not fused, labeled "E"
1	ulna, right, distal half only, styloid process damaged postmortem labeled "F"
1	radius, right, distal end of shaft broken but recovered, slight lipping on margins of both articular ends, labeled "A"
1	radius, left, proximal half only, very slight lipping on margins of articular surface, labeled "B"
1	radius, left, distal end damaged laterally, distal epiphysis unfused and missing, proximal epiphysis fused but line visible, labeled "C"
1	radius, left, proximal half only, slight porosity of margins of head, labeled "D"
1	radius, possibly right, distal half of shaft, subadult
4	radius shaft fragments
1	navicular, hand, right
1	lunate, right
1	greater multangular, right
3	first metacarpals, one left, two right
2	third metacarpals, both right, one large, one small with distal epiphyseal line still visible
2	fifth metacarpals, one right, one left with distal epiphyseal line still visible
3	metacarpals, distal half
13	phalanges, hand
1	calcaneus, right
4	tali, three right (48 mm, 56 mm, 49 mm), one left damaged but appears to match right of 49 mm maximum length
3	navicular, foot, two left, one right
2	cuboid, one left, one right, probably pair
1	first cuneiform, left
1	third cuneiform, left
1	first metatarsal, left
1	second metatarsal, left
1	third metatarsal, left
1	fourth metatarsal, left
1	fifth metatarsal, left
17	phalanges, foot
8	miscellaneous long bone fragments

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Table 5.2. Dental inventory for the Elephant Terrace, Accession 14.

	<u>A/C</u>		<u>B</u>		<u>D</u>	<u>E</u>
	<u>L</u>	<u>R</u>	<u>L</u>	<u>R</u>	<u>L</u>	<u>L</u>
<u>Mandible</u>						
dm2	-	-	-	-	-	2
I1	5	5	5	5	-	-
I2	5	5	5	5	-	-
C	2	5	-	5	-	-
P1	2	5	-	5	-	7
P2	2	4(5)	-	5	-	7
M1	2	4	-	2	-	2
M2	4	3	-	2	2	7
M3	4	2	-	2	2	-
		<u>F(left)</u>		<u>G(right)</u>		
<u>Maxilla</u>						
I1		5		-		
I2		5		-		
C		5		5		
P1		5		5		
P2		5		5		
M1		2		2		
M2		2		2		
M3		-		5		

Key: 2=Present (tooth in socket)  
 3=Antemortem loss (socket only)  
 4=Antemortem loss (bone resorption)  
 5=Postmortem loss (socket only)  
 7=Unerupted



Table 5.3 . Postcranial measurements (in mm) for Accession 14.

	A <sup>1</sup>	B	C	D	E	F	G
<u>Humerus</u>							
Maximum length	-	278 <sup>2</sup>	-	-	-	-	330
Maximum diameter at midshaft	18	20	20	22	-	20	24
Minimum diameter at midshaft	14	14	17	19	-	16	21
Vertical diameter of head	-	38	-	-	-	-	49
Least circumference shaft	50	51	56	62	-	-	65
<u>Radius</u>							
Maximum length	250	-	210 <sup>3</sup>	-	-	-	-
<u>Ulna</u>							
Maximum length	-	-	-	-	246 <sup>2</sup>	-	-
Physiological length	-	-	-	-	216 <sup>2</sup>	-	-
Least circumference shaft	-	33	-	-	31	27	-
<u>Femur</u>							
Maximum length	(390)	-	(450)	(390)	-	-	-
AP diameter at mid-shaft	(23)	(31)	(30)	(23)	-	-	-
ML diameter at mid-shaft	(22)	(26)	(27)	(21)	-	-	-
Vertical diameter head	38	50	47	39	-	-	-
Circumference mid-shaft	(72)	(91)	(88)	(70)	-	-	-
Subtrochanteric AP diameter	19	29	25	20	-	-	-
Subtrochanteric ML diameter	29	35	36	30	-	-	-
<u>Tibia</u>							
Maximum length	-	-	-	391	-	-	-
AP diameter at N.F.	-	28	27	36	-	-	-
ML diameter at N.F.	-	19	17	24	-	-	-
Circumference at N.F.	-	76	72	95	-	-	-

1. Labels A, B, C, etc. are arbitrary labels within each bone element and do not indicate belonging to the same individual.

2. Measurement with epiphyses.

3. Measurement without epiphysis.

Parentheses indicate estimate.

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Table 5.4. Dental measurements for mandibles and maxillae from the Elephant Terrace, Accession 14.

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	<u>Tooth</u>	<u>BL</u>	<u>MD</u>
<u>Mandible B</u> (right)	M1	10.3	11.0
	M2	9.8	10.6
	M3	9.5	10.0
<u>Mandible D</u> (left)	M2	10.0	10.9
	M3	9.3	10.7
<u>Mandible E</u> (left)	M1	10.9	11.5
<u>Maxilla F</u> (left)	M1	11.2	10.3
	M2	11.0	10.1
<u>Maxilla G</u> (right)	M1	11.5	10.1
	M2	10.8	9.8

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6. Human Skeletal Remains from Mound 36 or Mound 37, 13AM190,  
Effigy Mounds National Monument, Accession 16

Human skeletal remains were recovered from either Mound 36 or Mound 37, 13AM190, Effigy Mounds National Monument. This effigy mound complex, Fire Point or Procession Mound Group, contains one bear and 19 conical mounds. Four additional accession collections from this site are included later in this report: Accession 106 (Mound 33), Accession 107 (Mound 39), Accession 109 (Mound 38), and Accession 111 (Mound 41). A radiocarbon date of A.D. 200  $\pm$  300 for this site is based on charcoal recovered from Mound 33 (Tiffany 1981:61).

There were no available field notes or other information about the small collection of human skeletal parts that were included in this accession. All of the remains were fragmentary because of their poor state of preservation. This would explain why the bones had been covered generously with a varnish of unknown composition that had prevented further gross disintegration. The remains are parts of at least two skeletons, one of a child around 5 years old and the other of an adult who may have been a female.

The child's skeleton was represented by the posterior one-half of the left half of a mandible, the inferior portions of left and right temporal bones, four inferior fragments of parietal bones, and two fragments of the squamous portion of the occiput. All of these vault fragments were thin, and traces of sutures showed scant evidence of fusion. The mandibular fragment retained fully erupted first and second deciduous molars and all permanent teeth including and distal to the canine tooth. The crown of that tooth was incompletely formed and remained in its crypt near the inferior border of the mandible. The occlusal plane of the crown of the first permanent molar was nearing emergence from its crypt but lacked

attainment of the level of the cervical line of the second deciduous molar by about 2 mm. The developing crown of the second permanent molar could be seen through a break in the roof of its crypt. These developmental features are compatible with an age of around 5 years. Some of the enamel of the deciduous molars had exfoliated and that which remained was so heavily coated with varnish that detailed inspection was difficult. However, attrition seemed slight.

The remains of the adult skeleton consisted of an incomplete calva that retained most of the right temporal bone, the anterior half of left and right maxillae, most of the body of the left half of a mandible without ramus and symphyseal area, the incomplete proximal two-thirds of a left humerus, four fragments of the shaft of another humerus, a fragment of radius shaft, and a smaller fragment of ulna shaft. The sutures of the cranial vault appeared to be closed. There was 5th degree (Hinton 1981) attrition on the upper incisors and canines; 4th degree on the upper premolars, lower left second premolar, and lower first and second molars; and 3rd degree on the third molar. The vertical diameter of the head of the incomplete left humerus was 44 mm, which was much closer to the female mean value than the male mean diameter (Krogman 1962).

The square chin and robusticity of the adult mandible fragment raised the possibility that it may not be related to the humerus, or the vertical diameter of the humerus head may represent an individual whose measurement is near the lower limit of the male range. If the mandibular fragment is not related to the humerus the skeletal parts in Accession 16 represent at least three individuals. There is no practical way to remove this doubt.

7. Human Skeletal Remains of Unknown Origin,  
Accession 44, Effigy Mounds Collection

There was no record of the origin of the human remains in Accession 44. The materials were quite fragmentary, and the inventory of skeletal parts can be found in Table 7.1.

Two vertebrae provided the only indication of the minimum number of individuals represented by these remains. One vertebra, with billowed superior and inferior surfaces of the body, was from an individual considerably younger than 23 years of age. The other, showing evidence of osteoporotic compression fracture, probably was from an elderly individual. The right talus was from a female whose age could not be determined.

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Table 7.1. Inventory of human skeletal remains, Accession 44.

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70	rib fragments
11	vertebrae, complete or almost complete, two vertebrae showed billowing of the body, one showed osteoporotic collapse
18	vertebra fragments
1	temporal bone, right
3	temporal bone fragments, squamous portions
1	temporal bone fragment, right zygomatic process
3	parietal bone fragments
1	zygoma, right
1	zygoma fragment, orbital border
2	sphenoid bone fragments
1	clavicle, right, slender
1	clavicle fragment, distal end, right, robust
3	scapula fragments
5	innominate bone fragments
1	sacrum ala fragment, right
2	humerus head fragments
1	humerus shaft fragment, distal
1	ulna fragment, right proximal end
1	ulna fragment, right distal end
1	ulna shaft fragment
2	patellae
1	femur head and neck, fragmentary
1	femur condyle, left, lateral
12	femur and tibia shaft fragments
5	fibula fragments
1	talus, right, length 46 mm, female
1	navicular right
3	cuboid bones
10	metacarpals and metatarsals
15	phalanges, hand
147	bone fragments, unidentified
30	fragments of incinerated bone from cranial and postcranial bones

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8. Human Skeletal Remains from the Waukon Junction  
Rockshelter, 13AM266, Accession 48

Human skeletal remains were recovered at various times between 10 July 1958 and 26 October 1963 from the site of the Waukon Junction Rockshelter, 13AM266, about one-fourth mile north of Waukon Junction, Iowa. The rockshelter was partially destroyed during the construction of Highway 364 between Waukon Junction and Harpers Ferry. The inventory of skeletal parts can be found in Table 8.1.

The most complete calvarium had been slightly warped postmortem. The individual bones tended to separate because fusion was not far advanced. Cranial length was 178 mm. Cranial breadth was 132 mm. Estimated auricular height was 110 mm. Length of the mastoid process was 27 mm. Glabella was not prominent, and supraorbital ridges were not significant. The superior border of the orbits was blunt. Nuchal lines were gracile. Occipital flattening at lambda was slight to moderate. The forehead was low, and the occiput was moderately high. Measurements yielded a cranial index of 74.2, indicating a long-headed individual. The auricular mean height index was 70.96 (Jantz and Willey 1983) which is similar to that characteristic of the Middle Missouri-Mandan people between A.D. 1000 and 1700. The individual probably was a female and under 30 years of age at the time of death.

The second calvarium, less distorted and less complete than the first, appeared long and had a distinct sagittal elevation. The forehead was moderately sloped. The occiput was moderately high. The nasal bridge was high. Superior orbital borders were intermediate between sharp and blunt. Glabella was not conspicuous, and supraorbital ridges were absent. Nuchal lines were slight. Cranial vault sutures showed incipient fusion endocranially near lambda. Cranial length was 177 mm, and cranial breadth was

136 mm. The cranial index was 76.84, indicating mesocrany or an average head shape. This individual also was probably a female and in her third decade at the time of death. The prominent nasal bones and the fairly prominent sagittal ridge suggested affinities to Woodland populations.

The incomplete calva showed almost complete closure of coronal and sagittal sutures and considerable thickness of frontal and left parietal bones. Pacchionian depressions were moderately prominent in the more medial portion of the parietal bone. The cranial vault was very low and relatively flat, suggesting an abrupt change in coronal contour at about the temporal lines. The superior orbital borders were more sharp than blunt. This individual, probably a female, could have been middle-aged or somewhat older at the time of death. The very low cranial vault suggested derivation from Deneid stock, perhaps by way of the Lakotid variety (Neumann 1952).

Only one long bone, a right femur, was sufficiently complete to permit reliable estimations of sex and stature. The vertical diameter of its head was 41 mm. The midshaft circumference was 69 mm. These were well within the female range (Pearson and Bell 1919; Black 1978). Stature was estimated by the method of Trotter and Gleser (1952) from a maximum length of 388 mm, calculated to be  $149.94 \pm 3.72$  cm, or  $59.03 \pm 1.46$  inches.

The two maxillae that may have come from the same cranium still retained the left canine and right I1, C, P1, P2, and the distal root of M2. Attrition was severe so that all teeth had lost extensive crown height and pulp chambers were exposed in P1 and P2. M1 had been lost antemortem on the left and right sides. The unrelated left maxilla retained three teeth, I2, C, and P1, and was apparently from a much younger individual. Attrition on I2 was Hinton's score 3, that on C was also score 3, while the wear of P1 was rated at score 1.



The mandibles in this collection were arbitrarily labeled A-E for X-raying and analysis. Their characteristics are presented in Table 8.2. The scores (after Hinton 1981) indicating the degree of attrition of the individual teeth in the mandibles are indicated in Table 8.3. Dental caries was uncommon. Shallow, approximating cavities were present on the disto-occlusal surfaces of the right P2 and the mesio-occlusal surfaces of the right M1, and of the entire crown of the left P2 in Mandible A. A similar lesion had destroyed most of the crown of the right P2 of Mandible D. Severe attrition had resulted in pulpal injury of the left M1 with consequent chronic periapical bone loss around the mesial root. Periapical bone destruction of a chronic nature was also evident around the carious remains of left P2. Although M3, M2, and M1 of Mandible D had been lost postmortem, the condition of the alveolar bone related to M1 suggested that chronic periapical inflammation had destroyed bone especially around the distal root of that tooth.

Arthritic change of undetermined cause had deformed the left condyle of Mandible B. The superior surface of the condyle had been roughened and conspicuously flattened, while its antero-posterior diameter had been expanded to 16 mm as compared to 11 mm for the normal right condyle.

This collection of skeletal parts represented the remains of at least eight individuals. It is possible that even more may have been represented, but the paucity of parts with definite indicators of sex and age made it impossible to be more specific. Five mandibles represented five adults, but measurements and morphologic characters were equivocal indicators of sex. The morphologic characteristics of the two calvaria and one calva, with inconspicuous supraorbital ridges and intermediately sharp-blunt superior orbital borders, and gracile muscle attachments suggested females. However, only one mandible had a typically feminine gonial

angle. Thus, the five mandibles, the two calvaria, and one calva might have been from five, seven, or eight individuals. Less difficulty was experienced in establishing the identity and age of infants' and children's remains because measurements of long bones served well for those purposes. Clearly, the remains included those of one fetus or newborn infant, one child around 4 years old, and one child around 5 years old. The left tibia with unfused distal epiphysis might have been from the same skeleton as Mandible C because the progress of attrition on the molars was compatible with the unfused distal epiphysis. The circumference of the tibia was in the range of young adult males, as was the gonial angle of Mandible C. However, the chin of that mandible was quite pointed, a feminine characteristic. If those two bones were not related, then the minimum number of individuals represented by these remains was nine.

Table 8.1. Inventory of human skeletal remains from the Waukon Junction Rockshelter, 13AM266, Accession 48.

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2	calvaria, incomplete
1	calva, incomplete
1	temporal bone, left
2	maxillae, left and right, possibly from same skeleton, teeth extremely abraded exposing pulp chamber
1	maxilla, left, incomplete, enamel abraded to expose dentin on incisal edges of anterior teeth, Hinton score I2=3, C=3, P1=1
4	zygomas, two left, two right
1	pars basilaris of occiput, incomplete
1	parietal bone, fragment, not a part of the calvaria or calva listed above
4	mandibles, complete or almost complete, labeled A, B, C, and D
1	mandible, right half, posterior two-thirds, labeled E
2	vertebrae, first cervical, fully adult
4	vertebrae, cervical, adult
2	vertebrae, thoracic, adolescent
1	vertebra, lumbar, child
2	vertebrae, thoracic, adult
1	vertebra, lumbar, incomplete, adult
1	sacrum, probable male, young adult
2	scapula fragments
4	clavicle fragments, distal portions, two from adults, one adolescent and one child
58	ribs and rib fragments
1	humerus head, adult
1	humerus, distal third, right, adult
1	humerus shaft fragment, adult
2	ulna fragments, proximal thirds, left and right, different skeletons
1	ulna fragment, proximal third, right, child
2	radii, left, adult
1	humerus, right, without epiphyses, 145 mm long (4.5 years)
1	radius, left, without epiphyses, 133 mm long (5-6 years)
1	capitate
10	metacarpals and fragments
10	phalanges, hand
1	innominate bone, incomplete, right, adult, female
1	innominate bone, incomplete, right, adolescent, possible male
2	innominate bones, incomplete, left and right, possibly male under 12 years
1	femur, right, adult, maximum length 388 mm
1	femur, right, proximal end, without epiphyses (ca. 5 years)
1	femur, proximal two-thirds, without epiphyses (ca. 4 years)
1	femur shaft, right, midshaft circumference 85 mm
1	tibia, left, unfused distal epiphysis (possibly 18 years), circumference 95 mm, male
3	tibiae, incomplete, one left, two right
3	fibula fragments

---

Table 8.1 (cont.)

1	talus, left, length 52 mm
1	talus, right, length 58 mm, male
3	calcanea, two right, one left, fragmentary
2	metatarsals, first
2	metatarsals, second
3	phalanges, foot
4	bones of fetus or newborn infant: part of ilium with wide greater sciatic notch, an ischium, ulna and humerus
4	teeth, loose
87	unidentified small bone fragments

---

Table 8.2. Human mandibles in Accession 48 (measurements in mm).

Mandible	A	B	C	D	E
Chin	tapered	square	pointed	rounded	-
Gonial angle	129	122	120	119	119
Length of ramus	52	55	56	54	56
Minimum breadth	33	28	31	34	33
Length of body	75	70	74	79	-
Height of body	30	28	25	31	32
Height of symphysis	33	31	30	33	-
Bicondylar breadth	(120)	113	103	-	-
Bigonial breadth	98	96	98	93	-

Parentheses indicate estimate.

---

 Table 8.3. Dental attrition for human mandibles in Accession 48.
 

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<u>Mandible A</u>															
Tooth	M3	M2	M1	P2	P1	C	I2	I1		P2	M1	M2	M3		
Score	6	7	8	6	7	6	6	6		7	8	7	6		
<u>Mandible B</u>															
Tooth	M3	M2	M1	P1	C	I2		P1	M1	M2					
Score	7	7	7	7	7	7		7	7	7					
<u>Mandible C</u>															
Tooth	M3	M2	M1	P2	P1	C	I2	I1		I2	C	P1	M1	M2	M3
Score	3	4	7	4	4	5	5	5		5	5	4	6	4	3
<u>Mandible D</u>															
Tooth	P2	P1		C	P1	P2	M1	M2	M3						
Score	7	7		7	7	7	7	7	7						
<u>Mandible E</u>															
Tooth	M3	M2	M1												
Score	2	5	7												

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Score after Hinton 1981.

9. Human Skeletal Remains from the Spike Hollow Rockshelter,  
13AM47, Accession 49

Human skeletal remains were recovered from the Spike Hollow Rockshelter, 13AM47, reportedly during an excavation by Henry Field, Wil Logan, and Dale Henning. No field notes were available. Excavations at the rockshelter had been conducted by Ellison Orr from 1946 to 1949 and by Logan in 1951 and 1952 (Logan 1952). Logan's report does not mention encountering any human burials. Woodland and Oneota artifacts from this site are present in the repository at Effigy Mounds National Monument. It is not known with which cultural occupation these remains were associated. Spike Hollow Rockshelter is also discussed in Charles R. Keyes's notes and is represented in the Keyes Collection located at the State Historical Society, Iowa City. Tandarich (1975) documents that the site number "AM47" was formerly assigned to Flynn Cemetery, Area B, now part of I3AM43. Some skeletal material in the Accession 1 collection was marked "AM47", and it is not known if this material was miscatalogued or if it was misplaced and actually belongs to the Spike Hollow collection or possibly even Flynn. Attempts to match any fragments from this collection to those marked "AM47" in the Accession 1 collection were unsuccessful. The "AM47" material in Accession 1 also does not match in terms of condition of the bone. Accession 1 "AM47" material is a mixture of unburned bone and almost carbonized burned bone. While the material from Spike Hollow Rockshelter is all burned or partially burned, it is white and gray to dark gray in color.

The human skeletal material was fragmented and incomplete (Table 9.1). A minimum of three individuals were represented based on ulnae, clavicles, scapulae, and the petrous portions of the temporal bones. A minimum of four individuals can be supported based on radii. A minimum of five

individuals were represented based on humeri.

All epiphyses were fused where present suggesting adult individuals. Because of the incompleteness and condition of the bones no precise estimate as to age can be made. Very limited indicators of sex were present. One large mastoid process, a frontal bone fragment with moderate supraorbital ridge development and blunt superior margin of the orbit, a large right and left trochlea of humeri, and an incomplete mandible with a somewhat squared chin suggested that at least one of the individuals was male. The bicondylar breadth of two of the humeri, 54 mm and 50 mm, fall in the female range (Krogman 1962:148) suggesting at least two of the individuals were females.

Since all teeth were lost postmortem, the only dental pathologic condition that could be observed was the antemortem loss of the right mandibular M2 with subsequent bone resorption. Slight porotic hyperostosis was observed on eight cranial fragments, all possibly from the same individual. Two tibia fragments showed evidence of periostitis in the process of healing at the time of death.

In summary, a minimum of five individuals, all adults, were represented in the collection from the Spike Hollow Rockshelter. At least one individual was possibly male, and two individuals were possibly female.



Table 9.1. Inventory of human skeletal remains from the Spike Hollow Rockshelter, 13AM47, Accession 49.

---

5	occipital fragments
1	temporal, squamous fragment
1	temporal, mastoid process, medium in size
1	temporal, fragment of petrous portion, right
2	temporals, right and left, mastoid process (medium), external auditory meatus and petrous portion, probably a pair
1	temporal, right, mastoid process (large), external auditory meatus, and petrous portion
43	miscellaneous cranial fragments
1	frontal bone, incomplete, nasal area and left orbit
1	zygoma, right
3	maxilla fragments, alveolar ridge, teeth lost postmortem but sockets for posterior teeth right P1-M3 and left P1 and P2 and left M2 and M3, probably same individual
2	maxilla fragments, alveolar ridge, teeth lost postmortem but sockets for anterior teeth right I1-P2 and left I1-P2, probably same individual
1	mandible, right half plus sockets for left I1 and I2, teeth lost postmortem except M2 lost antemortem, socket resorbed, M3 erupted, condyle missing, chin somewhat squared, gonial angle damaged and ramus incomplete, unable to measure
1	mandibular condyle, right
1	coronoid process of a mandible, left
9	rib fragments
5	clavicles, scapular fourth to third, 3 left, two right
1	clavicle fragment, middle third
6	vertebrae fragments
1	scapula, left, fragment spine and acromion process
1	scapula, right, fragment, glenoid fossa and coracoid
1	scapula, right, fragment, acromion
1	scapula, right, fragment, acromion process
1	scapula, right, fragment, acromion, could go with process above
1	scapula, fragment, acromion process and fragment of acromion, possibly right
4	scapula fragments, two axillary border fragments
1	ischium, fragment, left
1	femur, right, proximal half, incomplete, no measurements possible
1	femur, left, neck
1	femur, left, posterior portion of proximal fourth shaft, does not match neck above
1	femur, shaft fragment
1	tibia, proximal 1/4 shaft, right, moderate localized periostitis, healing
1	tibia, shaft fragment, widespread periostitis, healing
1	patella, right
1	humerus, left, distal two-thirds shaft, least circumference 65 mm
1	humerus, left, distal third shaft
1	humerus, left, distal end, bicondylar breadth 54 mm

Table 9.1 (cont.)

- 1 humerus, left, trochlea, large in size, does not match any of the lefts in size
- 1 humerus, left, middle third shaft
- 1 humerus, right, distal third, bicondylar breadth 50 mm, smaller, does not match any of the lefts in size
- 1 humerus, right, distal third
- 1 humerus, right, trochlea, large in size
- 6 humerus shaft fragments
- 1 radius, left, distal two-thirds
- 1 radius, right, distal two-thirds, does not pair with left
- 1 radius, head
- 5 radii, midshaft third to half, cannot side with certainty but does support minimum of 4 individuals with the L and R unpaired radii
- 3 ulnae, left, proximal eighth, two with olecranon process missing
- 1 ulna, fragment olecranon process
- 3 ulna shaft fragments
- 1 capitate, right
- 1 metacarpal
- 2 fragments, metacarpals or metatarsals
- 6 phalanges, hand
- 2 fragments of head of femur or humerus
- 61 miscellaneous long bone fragments
- 6 miscellaneous bone fragments

8.4 g of tiny bone fragments too small to identify

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10. Human Skeletal Remains from the Guttenberg Burial  
Accession 50, Effigy Mounds Collection

Human skeletal remains were recovered from a burial at or near Guttenberg, Iowa. No other information on their location or recovery was available. The condition of these bones was fair with considerable postmortem breakage and badly weathered bone surfaces. The inventory of osteological remains (Table 10.1) indicated the presence of one individual. The dental inventory is shown in Table 10.2. Cranial and post-cranial measurements are recorded in Tables 10.3 and 10.4.

All epiphyses were completely fused. Cranial sutures were starting to fuse ectocranially in the coronal/sagittal area and in the lambdoidal suture, and were almost completely fused in the posterior one-half of the sagittal suture. All sutures were fused endocranially except the squamosal sutures. Slight arthritic lipping was present on the thoracic vertebrae and proximal end of the ulna. The teeth were markedly abraded corresponding to Hinton's (1981) code of 6 to 7 with severe loss of crown height. All the above evidence suggested an older adult.

Several indicators of sex were present (Table 10.5). The measurements of the femur and gonial angle of the mandible suggested this individual was male. Although not enough of the greater sciatic notch was present to estimate with confidence as to sex, it gave the appearance of being narrow, supporting this assessment. Muscular development and mastoid size were moderate. The maximum length of the femur was estimated to be 454 mm. The stature of this individual was estimated to be  $170.18 \pm 3.80$  cm (Trotter and Gleser 1958).

Radiographs showed that the third molars were congenitally absent. The maxillary right M2 was also absent with the alveolar ridge appearing smooth and normal. No carious lesions were observed in the dentition. It

was not possible to code the teeth for enamel hypoplasia due to attrition and postmortem enamel breakage. It was also not possible to get accurate measurements of the teeth due to this postmortem breakage.

A large Inca bone was present at lambda with four smaller ossicles along the lambdoidal suture. Long bones were not X-rayed due to postmortem damage. Where bones were undamaged, no pathologic conditions were observed.

---

Table 10.1. Osteological inventory of human remains from Accession 50.

---

- 1 cranium, almost complete, zygomas missing
  - 1 mandible, left third missing
  - 1 scapula, left, posterior half glenoid fossa, latero-inferior one-fourth of acromion
  - 4 rib fragments
  - 2 cervical vertebrae, axis and atlas, both incomplete
  - 6 thoracic vertebrae, incomplete, 2 articular facet margins show slight lipping
  - 1 vertebra arch fragment
  - 1 innominate, fragment of ilium with small portion of auricular surface and greater sciatic notch, fragment of acetabulum
  - 1 femur, left, portion of shaft missing
  - 1 femur, right, distal end of bone eroded postmortem
  - 1 tibia, left, missing distal end, damage to proximal end
  - 1 tibia, right, proximal end badly damaged, third to half of cortex missing postmortem from shaft, damage to distal end
  - 1 humerus, left, middle third of shaft
  - 1 humerus, right, almost complete, head damaged, lateral condyle distal end missing, ca. fourth of cortex missing from shaft, shaft broken postmortem and repaired
  - 1 ulna, right, proximal third to half, slight lipping on superior margin of articular surface of semilunar notch
  - 2 calcanea, right and left, both damaged postmortem
-

Table 10.2. Dental inventory for Accession 50.

	<u>Left</u>	<u>Right</u>
<u>Maxilla</u>		
I1	5	5
I2	5	5
C	5	2
P1	5	2
P2	5	2
M1	5	2
M2	5	4 (or 8)
M3	8	8
<u>Mandible</u>		
I1	5	5
I2	5	5
C	5	5
P1	5	5
P2	-	2
M1	-	2
M2	-	2
M3	-	8

Key: 2=Present (tooth in socket)  
 4=Antemortem loss (bone resorption)  
 5=Postmortem loss (socket only)  
 8=Congenitally absent

Table 10.3. Cranial measurements and indices for Accession 50.

## CRANIAL MEASUREMENTS (in mm)

Maximum cranial length	174
Maximum cranial breadth	155
Basion-Bregma height	137
Porion-Bregma height	121
Basion-Porion height	17
Auricular height	122
Minimum frontal breadth	99
Total facial height	(113)
Upper facial height	(64)
Nasal height	(48)
Nasal breadth	26
Orbital height	(36)
Maxillo-alveolar length	(51)
Maxillo-alveolar breadth	60
Palatal length	46
Palatal breadth	34
Basion-nasion length	99
Basion-prosthion length	(96)
Length of ramus	(65)
Minimum breadth of ramus	35
Height of mandibular body	33
Length of mandibular body	85
Height of symphysis	(31)
Gonial angle	115

## CRANIAL INDICES

Cranial Module	155.33
Cranial Index	89.08
Cranial L-H Index	78.74
Cranial Br-H Index	88.39
Mean Basion-Ht. Index	83.28
Mean Porion-Ht. Index	73.56
Auricular Mean Ht. Index	74.16
Flatness of Cranial Base	12.41
Fronto-Parietal Index	63.87
Nasal Index	(54.17)
Maxillo-Alveolar Index	(117.65)
Palatal Index	73.91
Gnathic Index	103.13

Parentheses indicate estimate.

Table 10.4. Postcranial measurements (in mm) for Accession 50.

	<u>Left</u>	<u>Right</u>
<u>Femur</u>		
Maximum length	-	(454 <sup>+</sup> )
Bicondylar length	-	450
AP diameter at midshaft	-	32
ML diameter at midshaft	-	29
Vertical diameter of head	(46 <sup>+</sup> )	-
Circumference of midshaft	-	93
Subtrochanteric AP diameter	-	28
Subtrochanteric ML diameter	-	35
Bicondylar breadth	(both badly damaged)	
<u>Tibia</u>		
AP diameter at N.F.	38	-
ML diameter at N.F.	25	-
<u>Humerus</u>		
Maximum length	-	321
Maximum diameter at midshaft	-	24
Minimum diameter at midshaft	-	22
Vertical diameter of head	-	43
Least circumference of shaft	67	68

Parentheses indicate estimate.



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Table 10.5. Measurements used for estimating sex for Accession 50.

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Femur

circumference (Black 1978:229)	93 mm	(male)
head (Bass 1971:21; Pearson and Bell 1919)	(46 mm)	(male)
length (Black 1978:229)	(454 mm)	(male)

Humerus

head (vertical) (Bass 1971:22)	43 mm	(indeter.)
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Mandible

gonial angle	115	(male)
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11. Human Skeletal Remains from the Quandahl Rockshelter,  
13WH35, Accession 51

Human skeletal remains were recovered from the Quandahl Rockshelter, 13WH35, located immediately west of the village of Quandahl, Iowa. The rockshelter is situated high in a limestone outcropping overlooking North Bear Creek. Previous reports on the Quandahl Rockshelter include Sampson (n.d.), Fisher (1978), and Mallam (1979). Most of the material recovered from this site was from indiscriminate digging. An analysis of the available cultural materials indicates the site was occupied from the Archaic through the Oneota periods with the most intensive occupation during the Late Woodland period (Mallam 1979:31). It is not known with which of these cultural occupations the human remains in this collection were associated.

The skeletal inventory (Table 11.1) suggested the presence of one subadult and at least one adult. The dental inventory for the subadult can be found in Table 11.2. The subadult was a small child, 1-2 years of age, based on the length of the diaphyseal shaft of the humerus and the development of the deciduous and permanent dentition (Table 11.3). The frontal fontanelle was not closed, and the metopic suture was only half complete, both compatible with the estimated age. When discovered in the rockshelter, this skeleton was covered with rock, apparently from roof fall (Dale Henning, personal communication 1986). The cranium was badly warped post-mortem and slightly damaged, but there appeared to have been possible deliberate cranial flattening in the parietal/occipital region. No porotic hyperostosis or cribra orbitalia was observed. No enamel hypoplasias were present in the teeth.

The adult was represented by limited remains. The epiphyseal rings of the centrum of the vertebra were not completely fused. These epiphyses

generally fuse between 17-25 years of age (Bass 1971:78). The distal epiphysis of the radius was fused. This suggests the individual was a young adult, possibly 20-25 years of age. No estimate of sex was possible. No pathologic conditions were noted.

---

Table 11.1. Inventory of human skeletal remains from the Quandahl  
Rockshelter, 13WH35, Accession 51.

---

## SUBADULT

- 1 cranium, left temporal and left lateral portion of occiput missing,  
lateral and basilar portions of occiput unfused, small ossicles in  
lambdoidal suture
- 1 mandible, symphysis union complete
- 10 fragments of sphenoid and other internal cranial bones
- 1 scapula, right, unfused epiphyses
- 1 clavicle, right, unfused epiphyses
- 2 vertebrae, one half unfused neural arch, cervical, one arch, halves  
fused but unfused to centrum (could be compatible for same indiv.)
- 14 ribs, nine left, five right
- 2 humeri, diaphysis, right and left, diaphyseal length 104 mm
- 3 metacarpals, unfused epiphyses

## ADULT

- 1 cranial fragment
  - 1 vertebra, thoracic
  - 1 rib fragment
  - 1 radius, distal half, right, slight postmortem animal gnawing on shaft
  - 1 phalanx, hand
  - 1 metatarsal
  - 3 small fragments, miscellaneous bone, burned
-

Table 11.2. Dental inventory of subadult from the Quandahl Rockshelter, 13WH35, Accession 51.

	<u>Deciduous</u>		<u>Permanent</u>	
	<u>L</u>	<u>R</u>	<u>L</u>	<u>R</u>
<u>Maxillary</u>				
I1	2	2	7	7
I2	2	2	7	7
C	2	2	7	7
M1	2	2	7	7
M2	6	6	-	-
<u>Mandibular</u>				
I1	5	2	7	7
I2	2	2	7	7
C	2	2	7	7
M1	2	2	7	7
M2	7	7	-	-

Two teeth had been previously glued into wrong sockets; inventory reflects correct locations.

Key: 2=Present (tooth in socket)  
 5=Postmortem loss (socket only)  
 6=Partially erupted  
 7=Unerupted

Table 11.3. Dental development of mandibular teeth for subadult from the Quandahl Rockshelter, 13WH35, Accession 51.

<u>Tooth</u>	<u>Code</u> <sup>1</sup>	<u>Estimated Age</u>
di2	A <sub>1/2</sub> <sup>+</sup>	-
dc	R <sub>3/4</sub>	1.825 years
dm1	R <sub>3/4</sub> <sup>+</sup>	1.15 <sup>+</sup>
dm2	R <sub>1/2</sub>	1.525
I1	C <sub>i</sub> <sup>-</sup>	-
I2	C <sub>3/4</sub>	-
C	C <sub>1/2</sub>	2.0
M1	Cr <sub>c</sub> <sup>-</sup>	2.25 <sup>-</sup>

1 From Moorees et al. 1963a, 1963b.

Development of mandibular teeth was coded because of clearer image on X-ray.

12. Human Skeletal Remains from Mound 18,  
13AM207, Accession 53

The human skeletal remains from Mound 18, 13AM207, were very fragmented and consisted of a mixture of burned and unburned bone. The inventory of these remains can be found in Table 12.1.

The presence of three duplicated portions of proximal shafts of femora indicated that a minimum of three individuals was represented by these remains. The unfused proximal epiphysis of one femur, the presence of two subadult ribs, and the unfused acetabulum portion of an ilium and ischium indicated the presence of at least one subadult less than 10-15 years of age. The other two femora suggested that the remaining two individuals were adults. The coronal suture of the parietal/frontal bone fragment was fused completely endocranially. Ectocranially, fusion was partial in the medial half to complete fusion laterally. The anterior third of the sagittal suture in this cranial fragment had completely fused endocranially and partially fused ectocranially. This complete and partial fusion suggested one of the adults was approximately 35<sup>+</sup> years of age.

Evidence suggesting the sex of the individuals was extremely limited and equivocal. One gonial angle appeared obtuse but was not measureable due to the incompleteness of that fragment. The three frontal fragments of the supraorbital area all had blunt orbital margins. Due to the fragmented and generally poor condition of the remains, no measurements were possible. Sex of these individuals can not reliably be estimated.

Two small miscellaneous cranial fragments showed evidence of slight porotic hyperostosis. No other pathologies were noted.

In summary, the fragmented remains from Mound 18, 13AM207, represented a minimum of three individuals, one subadult and two adults, one approximately 35<sup>+</sup> years. Sex of these individuals could not be determined.

Table 12.1. Inventory of human skeletal remains from Mound 18, 13AM207.

- 
- 1 cranial fragment, burned, coronal/sagittal quarter of left parietal, 7-10 mm of corresponding right parietal and frontal bones with coronal suture
  - 1 cranial fragment, burned, left and right parietal, posterior portion of sagittal suture area
  - 3 frontal bone fragments, burned, supraorbital area, 1 right, 2 left
  - 2 temporal bone fragments, burned, mastoid process area
  - 42 miscellaneous cranial fragments, burned
  - 2 mandible fragments, burned, anterior portion area of symphysis, two sets of genial tubercles
  - 1 mandible, fragment, burned, right gonial angle
  - 1 mandible, fragment, burned, right gonial angle, inferior one-eighth of ramus, slight gonial eversion
  - 2 mandibular condyles, burned, one right, one left
  - 1 coronoid process, burned, left
  - 2 teeth, burned, mandibular, fragmented, only roots remaining, probably one molar and one incisor
  - 1 mandible, fragment, right, posterior alveolar ridge
  - 1 sternum, fragment, burned
  - 2 ribs, right, from subadult, unburned
  - 6 rib fragments, burned
  - 3 vertebrae, thoracic, burned
  - 1 lumbar, unburned
  - 1 lumbar fragment, arch, burned
  - 10 vertebrae fragments, burned
  - 1 scapula, fragment of acromion, burned
  - 1 innominate, right, fragment of ilium including portion of greater sciatic notch and tiny portion of acetabulum, unburned
  - 1 innominate, left, fragment of ilium including portion of greater sciatic notch and portion of acetabulum, fragment of ischium with portion of acetabulum, unfused (may match with right innominate fragment), unburned
  - 1 innominate, small fragment of acetabulum, unburned
  - 1 femur, left, proximal 3/4 and unfused proximal epiphysis, unburned but in poor condition
  - 1 femur, left, proximal third of shaft, unburned, poor condition
  - 1 femur, left, proximal fourth of shaft, burned
  - 1 femur, right, proximal fourth of shaft and distal third of shaft, burned
  - 2 femur midshaft fragments, burned
  - 1 femur, distal end fragment, possibly left, burned
  - 4 femur proximal epiphyseal fragments, unburned
  - 1 tibia, fragments proximal end, unburned
  - 1 tibia, fragment shaft, unburned
  - 1 fibula, left, distal end, burned
  - 1 navicular, foot, left, burned
  - 1 tarsal fragment, possibly first or third cuneiform, burned
  - 1 calcaneous, fragment, right, burned
  - 1 third metatarsal, right, burned



Table 12.1 (cont.)

1	fourth metatarsal, right, burned
1	fifth metatarsal, proximal half, probably right, burned
3	humerus shaft fragments, burned
1	humerus distal end fragment, burned
1	radius, proximal fourth of shaft, possibly left, burned
1	radius, central third shaft, not burned
1	radius, head, unburned
5	radius shaft fragments
3	ulna shaft fragments
2	ulna proximal end fragments, both right
1	metacarpal fragment, distal half
1	phalanx fragment, hand, proximal half
25	miscellaneous long bone shaft fragments, burned
24	miscellaneous long bone shaft fragments, unburned
9	miscellaneous bone fragments, five burned

---

13. Human Skeletal Remains from the Marquette Rockshelter,  
Accession 70

Human skeletal remains were recovered from the Marquette Rockshelter, exact location unknown. Woodland cultural material from this rockshelter is in the Effigy Mounds repository. The inventory of skeletal parts can be found in Table 13.1 and the adult dental inventory in Table 13.2.

Both adults and subadults are represented in this skeletal collection. The presence of a newborn infant was indicated by two humeri, one ulna, and one radius. A small child, 1.5-2.5 years of age, was represented by an ilium, pubis, a distal epiphysis of a humerus, a deciduous second molar, and a deciduous canine (Table 13.3). A tibia and a proximal epiphysis of a humerus indicated a child 3-5 years of age. A child 6.0-7.5 years of age was represented by distal and proximal epiphyses of a femur, two distal fragments of the diaphyseal shaft of a humerus, and a loose permanent tooth, a first molar (Table 13.3). Two loose permanent teeth, a canine and a premolar, suggested the presence of a child 8-9.5 years of age (Table 13.3). A child, 10-12 years of age, was indicated by a single loose tooth, a mandibular second molar (Table 13.3).

Four nonpaired radii and ulnae indicated the presence of at least four adult individuals. The main evidence suggesting age of these four individuals was the degree of wear of the loose and in situ teeth (Table 13.2): those with only moderate wear, those with moderate to severe wear, and those with severe wear and substantial loss of crown height. The teeth with only moderate wear suggested the presence of a younger adult. The teeth with moderate to severe wear indicated a somewhat older, possibly middle-aged individual. The teeth with severe wear and substantial crown loss fell into two categories, those with and those without carious lesions, suggesting the presence of two elderly individuals.

Due to the fragmented nature of the skeletal material, limited indicators of sex were present. Two right greater sciatic notches which were sharp in shape suggested the presence of at least two male adults. The adult mandible was gracile with a pointed chin suggesting it was from a female. No gonial angle measurement was possible.

Numerous pathologic conditions were noted in the remains in this collection. The six thoracic and three lumbar vertebrae belonging to a single individual had advanced osteophytic lipping. In addition, the first lumbar showed evidence of a slight compression fracture. The second lumbar had the almost total destruction of its body due to an active widespread lesion on its superior surface. A similar lesion was also present on the inferior surface but was not as widespread. The lesions had produced a very rough, hollowed out appearance. The third lumbar had a small lesion on its superior surface, but the smoother appearance suggested some healing had taken place. A single thoracic body that did not appear to belong to the above individual also showed evidence of a widespread rough, active lesion. This body was small and wedge-shaped suggesting a possible compression fracture, or possibly its appearance was due to severe damage by the lesion.

At least one individual suffered from osteoporosis based on the presence of three abnormally light-weight bones, a tibia, ulna, and sternum. Not only was the sternum very light weight, but it also was extremely bowed anteriorly. The light-weight tibia also had widespread moderate periostitis present on its shaft.

A left radius had its distal end bent at an abnormal angle suggesting a healed break. There was some bone remodeling in the distal third of the shaft, possibly healed periostitis caused by an infection or inflammation from the break. This bone was also lighter than normal in weight but did

not match in size to the abnormally light ulna, suggesting a second individual with osteoporosis. The possible compression fractures of the vertebrae from two individuals may also suggest that two individuals suffered from osteoporosis in addition to the vertebral lesions.

Three maxillary molars, extremely abraded, had carious lesions at the cemento-enamel junction. All three teeth possibly belonged to a single individual.

In summary, the skeletal remains from this accession collection represented six subadults and four adults:

- 1 newborn
- 1 child, 1.5-2.5 years
- 1 child, 3-5 years
- 1 child, 6.0-7.5 years
- 1 child, 8-9.5 years
- 1 child, 10-12 years
- 4 adults, one younger, one middle-aged, two elderly

Of the adults, at least two males and one female were represented. Two individuals suffered from widespread lesions in the vertebrae. One, possibly two, individuals suffered from osteoporosis. One individual had suffered a broken radius which had healed prior to death. At least one individual had evidence of dental caries. It is possible all the above pathologic conditions were confined to two of the adult individuals.

Table 13.1. Inventory of human skeletal remains from the Marquette Rockshelter, Accession 70.

---

10	cranial fragments, three burned, one fragment with suture, unfused
2	sphenoid fragments, one with red pigment stain
1	frontal fragment, right supraorbital area, subadult
1	zygoma, right, subadult
1	maxilla, right, inferior half
1	mandible, ramus missing, adult, chin pointed, gracile
1	mandible fragment, right, three empty crypts, infant
22	loose teeth, adult, 5 molars, 3 premolars, 4 canine, 10 incisors
6	loose teeth, subadult, 1 deciduous canine, 1 permanent canine, one permanent premolar, 3 permanent molars
2	ribs, one left, one right (red stain), incomplete, subadult
3	rib fragments, subadult
2	ribs, first, both right, adult
19	ribs, right, incomplete, adult
4	ribs, right, complete, adult
9	ribs, left, incomplete, adult
1	rib, left, complete, adult
53	rib fragments, adult
7	vertebral arches, fragmentary, unfused
1	thoracic vertebra, arch and centrum fused but centrum bilowy and ring not completely fused
3	cervical vertebrae, one axis, possible 4th and 6th, possibly from same individual, adult
6	thoracic vertebrae, (#7-12) belong to one individual, moderate porosity of body surfaces, moderate to severe lipping on margins of articular surfaces, two have slight ligmenta flava
3	lumbar vertebrae, #1-3, match with #12 thoracic of above individual, severe lipping and presence of lesions in body
3	thoracic vertebrae, belong to second larger individual, moderate porosity on body surfaces, slight lipping on margins of facets
1	thoracic vertebra, body only, widespread lesion on inferior surface (rough active), small, wedge-shaped, possible compression fracture or appearance due to severe damage by lesion
4	vertebral arch fragments
1	scapula, left, glenoid fossa, coracoid process, partial acromion, and one-fourth of axillary border
1	scapula, fragment of body
1	scapula, fragment, notch between glenoid cavity and acromion
1	clavicle, right, lateral 2/3, scapular end damaged postmortem
2	sacrum fragments
1	sternum, body only, very light in weight, bowed anteriorly, adult
1	sternum, body and manubrium, adult
1	sternum, segment of unfused body
1	innominate, ilium and pubis, unfused (1.5-2.5 years)
2	fragments unfused ischium, from somewhat older subadult
1	innominate, right, fragment of ilium with greater sciatic notch (sharp), and inferior corner of auricular surface, adult
1	innominate, right, incomplete, auricular surface, greater sciatic notch (sharp), acetabulum, posterior 2/3 ischium, adult

Table 13.1 (cont.)

- 1 fragment of iliac crest
- 2 femur epiphyses, proximal and distal (6.0-7.5 years)
- 1 femur, left, proximal half, head missing, not complete at midshaft,
- 1 tibia, right, proximal 3/4 diaphysis (3-5 years)
- 1 tibia, right, very light in weight, distal end missing, margins of proximal end damaged postmortem, widespread moderate periostitis on shaft, slight postmortem gnawing on distal fourth of shaft
- 1 tibia, left, proximal 1/8-1/4 shaft, damage postmortem, appears normal weight for amount of bone present, does not pair with above
- 1 tibia, left, distal 2/3 shaft and posterior proximal third of shaft
- 1 tibia, right, posterior proximal third shaft, probably pairs with above
- 1 tibia, right, distal end, does not match any of the right tibiae above
- 1 fibula, fragment proximal end
- 2 humeri, left and right diaphyses (R=72 mm), newborn
- 1 humerus, proximal epiphysis (3-5 years)
- 2 humeri, left and right diaphyses, distal 1/8 (6.0-7.5 years)
- 1 humerus, distal epiphysis (1.5-2.5 years)
- 1 humerus, left, complete, head and distal end damaged postmortem max. length 315 (est.), max. diameter midshaft 22 mm, minimum diameter midshaft 17 mm, least circumference shaft 61 mm
- 1 humerus, small fragment distal end, burned
- 1 radius, proximal half of diaphysis, newborn
- 1 radius, right, slight porosity on margins of head, slight lipping along margins of distal articular surface, max. length 244 mm, does not pair with any of the left radii
- 1 radius, left, ca. fourth of head damaged postmortem but no lipping observed on remainder, no lipping on distal end, red pigment or stain present on articular surface, max. length 255 mm
- 1 radius, left, small rough depression in center of articular surface of head (3 mm diameter), no lipping, distal end of shaft abnormal with a slight angle laterally, possibly healed break, some bone remodeling in distal third, possibly healed periostitis, bone somewhat light in weight, max. length 206 mm
- 1 radius, left, proximal half, head damaged postmortem
- 1 ulna, possibly left, diaphysis (56 mm), newborn
- 1 ulna, left, distal end missing, posterior portion of olecranon process damaged postmortem, slight lipping proximal articular surface margins, postmortem gnawing on shaft
- 1 ulna, left, olecranon process missing, lateral half of distal end damaged postmortem, slight lipping proximal end margins, physiologic length 241 mm, least circumference shaft 38 mm
- 1 ulna, right, very light weight, does not pair with light-weight radius, slight lipping proximal end margins, pronounced muscle or ligament attachment on disto-medial border of shaft, max. length 267 mm, physiolog. leng. 238 mm, least circum. 37 mm
- 1 ulna, right, complete, very slight lipping proximal end margins, max. length 270 mm, physiologic length 234 mm, least circum. 36 mm
- 1 ulna, left, distal half only, styloid process damaged, very slight lipping margin distal end, pairs with above right ulna, least circumference 36 mm

Table 13.1 (cont.)

2	cuboid, left
2	first cuneiform, right
2	second cuneiform, right
2	navicular, foot, left
2	first metatarsals, left and right, not a pair
2	second metatarsals, left
3	third metatarsals, two left and one right
4	fourth metatarsals, two left and two right
2	second metacarpals, left and right, not a pair
3	third metacarpals, right
1	fifth metacarpal, left
3	naviculars, hand, left
1	lunate, right
2	greater multangulars, left and right, not a pair
1	lesser multangular, left
1	capitate, right
3	hamates, one left and two right
23	phalanges, hand
16	phalanges, foot, one with unfused epiphyses
10	miscellaneous long bone fragments
4	miscellaneous bone fragments

---

Table 13.2. Adult dental inventory discussion for Accession 70.

Loose Teeth

## Incisors--Mandibular (3)

- 1 left lateral, slight calculus buildup, slight to moderate wear, Hinton 3-4
- 1 right central, slight calculus, small hook on tip of root, moderate wear, Hinton 4
- 1 root, crown worn to below CEJ

## Incisors--Maxillary (7)

- 1 root, crown worn to below CEJ
- 1 root, crown worn to below CEJ except in two small spots, one lingual, one labial, root canal exposed
- 1 probably right lateral, crown worn below CEJ lingually, less than fourth of crown remaining labially (Hinton 6), moderate hypercementosis on root
- 1 left lateral, wear such that fourth of crown remaining, less lingually, Hinton 5
- 1 left central, crown worn to less than fourth of crown (Hinton 5), crown broken labially postmortem, slight hypercementosis on root, large hook at tip of root
- 1 right, possibly central, worn to ca. fourth crown (Hinton 5), moderate hypercementosis on root
- 1 left, possibly lateral, worn to ca. fourth crown (Hinton 5), enamel broken postmortem, slight hypercementosis on root

## Canines--Mandibular (3)

- 1 left, moderate wear (Hinton 3), slight calculus
- 1 left, slight to moderate calculus, slight hypercementosis on root, wear equals Hinton 4-5
- 1 possibly mandibular, extreme wear (Hinton 7), pulp exposure

## Canines--Maxillary (1)

- 1 left, slight calculus, wear corresponding to Hinton 4

## Premolars (3--possibly 2 mandibular and 1 maxillary)

- 1 well worn, half enamel broken postmortem, Hinton 3
- 1 well worn, Hinton 4
- 1 well worn, Hinton 5-6

## Molars--Mandibular (1)

- 1 first or second, roots partially fused, extreme wear (Hinton 7-8), worn below CEJ distally, slight calculus, slight to moderate hypercementosis



Table 13.2 (cont.)

## Molars--Maxillary (4)

- 1 left, first or second, heavy wear (Hinton 6), two carious lesions at CEJ distal surface, slight calculus, slight hypercementosis
- 1 right, probably first, abraded beyond CEJ mesially (Hinton 8), carious lesion at CEJ distally covering the little remainder of crown on that surface, severe hypercementosis
- 1 right, probably second, extreme wear (Hinton 7), lingual surface broken postmortem, two enamel hypoplasias present in half of enamel surface remaining (at 1.6 and 2.7 mm)
- 1 probably maxillary third, some enamel breakage postmortem, heavy wear (Hinton 5-6) carious lesion CEJ, involves entire mesial surface from occlusal to below CEJ, severe hypercementosis

In situ teeth

Mandible--left third molar lost postmortem, left second molar lost antemortem (socket resorbing), left lateral incisor lost postmortem but periapical granuloma at base of root, right first and second molars lost antemortem with sockets resorbed, three teeth in situ:

- 1 left first molar, moderate hypercementosis, worn below CEJ lingually (Hinton 7-8)
- 1 left second premolar, abraded almost to CEJ (Hinton 6)
- 1 left first premolar, worn below CEJ lingually (Hinton 7-8)

Maxilla--right third molar socket and alveolar bone missing postmortem, broken root of first premolar in socket, three teeth in situ:

- 1 right second molar, severe wear (Hinton 7-8)
  - 1 right first molar, worn below CEJ lingually (Hinton 7-8), pulp exposure, moderate to severe hypercementosis
  - 1 right second premolar, part of crown broken postmortem, severe wear (Hinton 7-8)
-

Table 13.3. Dental development of loose teeth of subadults from Accession 70.

<u>Tooth</u>	<u>Code</u> <sup>1</sup>	<u>Estimated Age</u>
dm2 (mand.)	R <sub>3/4</sub>	1.85 years
dc (mand.)	R <sub>c</sub>	2.00 years
M1 (max.)	R <sub>c</sub> <sup>+</sup>	5.95-6.25 <sup>+</sup> yrs.
P1 (max.)	R <sub>1/2</sub>	8.4 years
C (mand.)	R <sub>3/4</sub>	8.95 years
M2 (mand.)	R <sub>1/2</sub>	11.05-11.4 years

1 From Moorrees et al. 1963a, 1963b

14. Human Skeletal Remains from the Karnopp Mound Group,  
Prairie Du Chien, Wisconsin, Accession 77

The human skeletal material from the Karnopp Mound Group, Wisconsin, was very fragmented and in very poor condition (Table 14.1). No information was available as to who excavated the material or when.

These limited remains represented a minimum of one individual. The sternal end of the clavicle was unfused with its epiphysis missing. In addition, the fibula, the humerus (distal), radius (proximal), and phalanges (proximal) all had unfused diaphyseal ends. All the metacarpals or metatarsals had the distal ends unfused except for one which was partially fused. The roots on the I1-P2 were completely formed. It was not possible to observe the root development of the molars because only the crowns remained, giving the appearance of still developing dentition. On four of the six molars, though, the blunting of the cusps verifies these teeth had fully erupted and had been in occlusion. The degree of skeletal and dental development is consistent with a juvenile, 12-14 years of age.

No measurements were possible. No estimate of sex could be made. Because of the poor condition of the bone, no pathologic conditions were evident. Two of the molar crowns had dark purple stains. It is not known what caused these or if they occurred antemortem or postmortem.

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Table 14.1. Inventory of human skeletal remains from the Karnopp Mound Group, Prairie Du Chien, Wisconsin, Accession 77.

---

15	loose teeth (4 incisors, 1 canine, 4 premolars, 6 molars)
1	fragment, possibly clavicle, unfused sternal epiphysis
16	fragments, vertebrae
5	fragments, innominate, body of ilium
45	fragments, ribs (one fragment of a right rib)
18	long bone fragments
1	tibia, posterior portion of proximal half shaft, left
1	tibia, proximal half shaft, possibly right, very poor condition
1	shaft fragment, possibly femur, very poor condition
1	fibula, third shaft, unfused epiphysis
1	humerus, distal half, unfused epiphysis
1	ulna, proximal third minus olecranon process, probably left
1	radius, proximal third, left, unfused epiphysis
1	radius, distal third of shaft, right
5	phalanges, hand, two complete, unfused proximal epiphyses
5	metacarpals or metatarsals, unfused epiphyses
1	metacarpal or metatarsal, distal epiphysis partially fused
3	distal epiphyses, metacarpals or metatarsals
60	clumps of dirt with small fragments of bone adhering
40.1 g. of bone fragments too small to identify	

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15. Human Skeletal Remains from Mound 12, 13AM101,  
Effigy Mounds National Monument, Accession 78

Human skeletal remains were recovered from Mound 12, 13AM101, the Red House Landing Mound Group. This effigy mound complex contains one bear, one linear, and five conical mounds. All are within the North Unit of the Effigy Mounds National Monument. This Middle Woodland site, McGregor focus, has radiocarbon dates of A.D.  $210 \pm 110$  (from Mound 12) and 10 B.C.  $\pm 90$  (Tiffany 1981:61). The skeletal material was a mixture of burned, partially burned and unburned bone. Burned earth had adhered to some of the bone fragments. The human remains were limited and very fragmented (Table 15.1).

Both subadults and adults were represented in this collection. At least two subadults were indicated based on the presence of two small, right acromial ends of clavicles and fragments of two sizes of long bones. Three loose, unerupted permanent molars suggested the presence of one small child 1.5-2.5 years of age. Two loose, unerupted permanent teeth, a maxillary I1 and M2, indicated the other subadult was 5.0-6.0 years of age.

At least two adults are indicated based on incomplete but duplicate femoral shafts, occipital bones, and two left zygomatic processes of frontal bones. No estimate of age of these individuals was possible.

Indicators of sex were limited and somewhat equivocal. The small mastoid process could suggest the presence of a female or it could belong to the 5-6 year old child. The incomplete mandible had no gonial angle to measure. Teeth were fully erupted and the mandible was small in size suggesting a possible female adult but the incomplete chin gave the appearance of being squared, a male trait. The right frontal fragment with the supraorbital ridge and superior margin of the orbit suggested a possible

male. A fragment of the supraorbital ridge of a second individual indicated a probable male. The estimated midshaft circumference of a femur, 87 mm, was in the male range, supporting the estimate of at least one male.

The only pathologic condition observed was on the incomplete tibia from the fill from the ash and burned layer. Periostitis of the shaft had resulted in slight bone remodeling.

The only indication of environmental stress was the presence of two enamel hypoplastic lines on the unerupted I1. None were observed on the other teeth. No cribra orbitalia was observed in the one orbit present. No porotic hyperostosis was observed on any cranial fragments.

In summary, the human skeletal remains from Mound 12, 13AM101, represented two subadults, aged 1.5-2.5 and 5.0-6.0 years of age, and two adults of unknown age. Of the two adult individuals, one was probably male and one possibly male, although the evidence was limited. One of these individuals was afflicted with periostitis on the shaft of a tibia. The 5.0-6.0 year old child showed evidence of at least slight environmental stress.

Table 15.1. Inventory of human skeletal remains from Mound 12, 13AM101, Accession 78.

---

1	occipital fragment, burned
4	temporal fragments, two petrous portions, one left petrous portion, external auditory meatus and mastoid process (small), and one left zygomatic process, all burned
17	cranial fragments, burned
8	cranial fragments, partially burned
1	frontal fragment, right supraorbital ridge (moderate) and superior margin of orbit (blunt), large medial notch, burned
1	frontal fragment, small fragment of superior margin of orbit, burned
1	frontal fragment, lateral portion of left orbit and zygomatic process, unburned
1	mandible, left half body, alveolar sockets for right I1 and I2 and sockets for left I1-M2, teeth lost postmortem, distal root tip of left M1 and root tips for M2 remaining, burned
2	mandible fragments of ramus, burned
1	mandible fragment of gonial angle, burned
1	mandible condyle, unburned
2	femora, incomplete shafts, left and right, probably pair, partially burned, estimate of midshaft circumference=87 mm
3	femur shaft fragments, subadult, two sizes, burned
1	fragment proximal end femur, right, larger of two sizes of subadult, burned
1	tibia shaft fragment, subadult, burned
4	fibula shaft fragments, possibly subadult size, burned
1	humerus shaft fragment, partially burned
83	miscellaneous long bone fragments, partially burned
31	miscellaneous long bone fragments, burned
2	fragments distal end femur, partially burned
8	fragments articular surfaces, 6 burned
2	patellae, incomplete, burned
1	metatarsal, proximal half, partially burned
3	fragments clavicle, two right acromial ends, both small in size, burned
4	vertebral body fragments, burned
1	rib fragment, burned
8	miscellaneous bone fragments
3	fragments ilium, border, burned
22.4 g	tiny bone fragments, mix of burned and partially burned
1	very small box of burned earth and very fragile, very tiny and fragmented bone labeled "cremation bones #1"
<b>Bone from west end of cremation, one to 5" higher than other</b>	
2	occipital fragments, one burned, could go with fragment from main inventory
1	sagittal fragment, unburned
1	frontal fragment, small portion of superior border and supraorbital ridge, prominent, unburned

Table 15.1 (cont.)

- 13 cranial fragments, unburned
  - 3 cranial fragments, burned
  - 1 fragment femur shaft
  - 2 fragments articular surface, possibly femur head, burned
  - 3 tibia shaft fragments
  - 8 miscellaneous long bone fragments, two burned
  - 2 miscellaneous bone fragments
- fill from ash and burned layer
- 1 occipital fragment, burned, matches occipital fragment from "bone west end" inventory
  - 1 frontal fragment, left zygomatic process, burned, could go with right orbit from main inventory but does not pair with left zygomatic process
  - 7 miscellaneous cranial fragments, burned
  - 1 fragment alveolar ridge with two single-rooted sockets, probably mandible, burned
  - 1 tibia shaft fragment, adult, periostitis, slight remodeling, partially burned
  - 11 miscellaneous long bone fragments, partially burned
  - 9 miscellaneous long bone fragments, burned
  - 20 miscellaneous small bone fragments, mix of burned and partially burned
- teeth from Md. 12 southern part of cremation
- 2 mandibular M1, possibly right and left, C 3/4, 1.55 years
  - 1 maxillary M1, Cr<sub>C</sub><sup>-</sup>, 2.25<sup>-</sup> years
  - 1 maxillary M2, Cr 3/4, 5.5 years
  - 1 maxillary I1, left, Cr<sub>C</sub>, 5.1 years, two enamel hypoplasias: at 3.7 mm and 5.1 mm
  - 1 unerupted tooth, possibly mandibular M2 but incomplete
-



16. Human Skeletal Remains of Unknown Origin,  
Accession 87, Effigy Mounds Collection

No information was available as to where the human skeletal remains assigned to accession number 87 were recovered. The remains were fragmented and incomplete (Table 16.1).

The presence of an extra shaft fragment of a radius and two incomplete clavicles of differing sizes indicated that a minimum of two individuals were represented. From the size and complete union of all epiphyses present, both individuals were adults. Only slight osteophyte formation on articular surfaces suggested at least one of these adults was possibly 25-40 years of age.

Limited measurements indicative of sex are presented in Table 16.2. This evidence suggested that at least one female was represented by these remains.

The only pathologic condition noted was widespread periostitis on the left femur. Some healing had taken place. This femur was from a female.

In summary, the limited remains of Accession 87 represented a minimum of two individuals, both adults. At least one of these individuals was a female who suffered from periostitis at the time of death.

Table 16.1. Inventory of human skeletal remains from Accession 87.

---

1	cervical vertebra, axis
1	thoracic vertebra, incomplete
3	vertebrae, fragments, two spinous processes, one arch
15	ribs, fragments
1	scapula, right, incomplete, includes glenoid cavity, coracoid and acromion
1	sternum, body
1	clavicle, right, missing sternal articulation
1	clavicle, left, distal third, does not pair with right clavicle
1	femur, left, incomplete, shaft only, periostitis present
1	femur, right, incomplete, shaft only
1	fibula, right, distal 3/4 shaft
1	fibula shaft fragment
1	talus, left
1	humerus, left, proximal two-thirds
1	humerus, right, distal 7/8, missing head and neck
1	ulna, right, proximal half
1	ulna, left, distal fourth of shaft
1	radius, left, incomplete, shaft only
1	radius, right, incomplete, shaft only, slight excess bone on interosseous crest
1	radius, middle third shaft, same size as above left and right
5	metacarpals
7	phalanges, hand
3	metatarsals
1	phalanx, foot
1	phalanx, small distal fragment
5	miscellaneous bone fragments

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Table 16.2. Measurements used in estimating sex for Accession 87.

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Femur

circumference (Black 1978:229) 79 mm (female)

Humerus

vertical diameter head (Bass 1971:22) 40 mm (female)

Talus

maximum length (Steele 1976:584) 47 mm (female)

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17. Human Skeletal Remains from Mound 33,  
13AM190, Accession 106

Human skeletal remains were recovered from Mound 33, 13AM190, part of the Procession Mound Group at Effigy Mounds National Monument (Logan 1971). Most bones were marked "Md. 33, E R-3". The skeletal material was incomplete and fragmented and included a mixture of burned and unburned bone (Table 17.1). A radiocarbon date of A.D. 200 ± 300 from this mound has been recorded (Tiffany 1981:61). Logan (1976) assigns this mound to the Middle Woodland McGregor focus.

Two frontal bones were of the size and thickness to suggest the presence of two young subadults. One of the frontal bones was the left medio-inferior quadrant with an unfused metopic suture which matched a right frontal fragment with unfused metopic suture found in Accession 44. The metopic suture usually closes about 2 years of age (Krogman 1962:87). An unerupted permanent M1 was recovered in its crypt and had developed to crown 3/4 which corresponds to an age of 1.55 years (Moorrees et al. 1963a, 1963b).

Two loose teeth and three teeth in situ in a maxillary fragment had very little abrasion, but all teeth, including the P1 root, were completely developed (12.85 years<sup>+</sup>, Moorrees et al. 1963a, 1963b). In addition, the skeletal remains included an ilium fragment with unfused acetabulum, an unfused iliac crest, unfused proximal and distal tibia epiphyses, and unfused epiphyses on metatarsals, metacarpals, and foot phalanges. The size, degree of development, and lack of dental attrition suggested these remains could be from one older subadult, approximately 13-15 years of age (Krogman 1962:33).

Three right calcanea suggested the presence of three fully grown individuals. One of the calcanea, however, could belong to the 13-15

year old juvenile. The other skeletal remains suggested the presence of at least two adults. A clavicle with a completely fused sternal epiphysis indicated the presence of someone over 25 years of age. A frontal/parietal bone fragment had the coronal suture fused endocranially and was almost completely closed ectocranially, suggesting at least one individual over 40.

Indicators of sex were limited and somewhat conflicting based on the suggested number of adults represented. At least one male appeared to be present based on the midshaft circumference of the distal 7/8 femur (84 mm), the gonial angle of a mandible (122°), and the maximum length of a talus (56 mm), which are all in the male range. The bicondylar breadth of the femur was equivocal, but the measurement was an estimate as the distal end had been damaged postmortem. Another possible male was suggested by a pair of tali with a maximum length of 52 mm, but this pair could belong to the older juvenile. The presence of possibly two females was indicated by vertical diameter measurements of femoral heads. Two (probably paired) measured 40 mm each; a third measured 41 mm. The latter looked as if it could go with the above distal 7/8 femur, but the measurements were conflicting. The other indicator of sex that was present was a greater sciatic notch of the innominate. It was moderate in angle shape so was indeterminate. While sketchy and conflicting evidence hinted at the possible presence of as many as two male and two female adults, a more reliable estimate would be the presence of two adults, one probable male and one probable female. The older juvenile may also have been male.

Little attrition had taken place due to the age of the individual. No carious lesions were observed.

Slight to moderate lipping was present on the margins of the bodies

and facets of vertebrae with moderate porosity on body surfaces. The axis had been broken postmortem. The superior facets were asymmetrical, the left larger than the right. The inferior right facet of the seventh cervical vertebra, both surface and margins, was very rough and porous, possibly due to arthritic inflammation. One of the lumbar vertebrae had severe lipping of the superior margins of the body. The other lumbar was wedge-shaped, indicative of a compression fracture. The inferior facets of this vertebra appeared to be missing or greatly misshapen. Whether this was due to inflammation, injury, or incomplete spondylolysis is unknown.

The right distal 7/8 tibia had widespread severe periostitis with visible bone apposition that had mainly healed antemortem. There was considerable swelling both proximally and distally with an unusual constriction approximately at midshaft. It appeared as if something had been tied around the leg and constricted the bone. The swelling may be more pronounced because of the widespread bone apposition on the rest of the shaft.

The three in situ maxillary teeth and one loose mandibular incisor each had from two to five enamel hypoplastic lines. These lines suggested that this individual had been subjected to repeated environmental stress.

In summary, three subadults, one 1-2 years of age and one 13-15 years of age, and two adults, at least one over 40 years of age, were represented in the skeletal remains from Mound 33, 13AM190. Of the two adult individuals, one was probably male, the other female. The older juvenile was possibly male. Numerous enamel hypoplasias on the teeth of this individual suggested he had undergone episodes of stress. One of

the adults had suffered from an unknown condition causing severe periostitis. At least one of the adults had been afflicted with arthritic deterioration of the vertebrae.

Table 17.1. Inventory of human skeletal remains from Mound 33, 13AM190.

- 
- 1 temporal bone, left, portion including mastoid process of moderate size, external auditory meatus, TMJ, zygomatic process and petrous portion
  - 1 temporal bone, right, portion including mastoid process, moderate to large in size, does not pair with left
  - 2 parietal bones, both right, sagittal/coronal suture quadrant
  - 1 parietal bone, right, most of inferior half including portion of coronal suture and temporal suture
  - 1 parietal bone, left, sagittal/coronal suture quadrant, does not pair with any of the rights
  - 3 parietal fragments, portion of squamosal suture
  - 1 parietal fragment, portion of lambdoidal suture
  - 2 parietal fragments, lambdoidal/sagittal area, one left, one right
  - 1 parietal fragment, portion of sagittal suture
  - 1 frontal bone, ca. middle third, includes unused nasal suture and right orbit with sharp superior margin, appears to be from young individual
  - 1 frontal bone, left inferior-medial quadrant, unfused metopic suture, left orbit, matches right fragment with unfused metopic suture found in Accession 44, unfused nasal suture, appears to be from young individual
  - 1 frontal bone fragment with portion of fused coronal suture
  - 1 frontal bone fragment, lateral 2/3 left orbit
  - 1 zygoma, left
  - 1 occipital fragment, basilar with 3/4 foramen magnum and right condyle
  - 1 occipital fragment, squamous portion
  - 4 sphenoid fragments
  - 10 miscellaneous cranial fragments
    - 1 maxilla fragment, left, three teeth (I2, C, P1)
    - 1 mandible fragment, left, gonial angle with ramus, I22
    - 1 mandible fragment, left, gonial angle
    - 1 mandible fragment, coronoid process
    - 1 mandible fragment, left, posterior alveolar portion with unerupted permanent M1 (crown 3/4), ca. 1.55 years of age
    - 1 loose tooth, right permanent mandibular lateral incisor, slight wear, Hinton's 2
    - 1 loose tooth, left permanent maxillary first premolar, slight calculus, slight blunting of buccal cusp
    - 1 scapula, left, inferior portion of acromion, superior half axillary border, tiny edge of glenoid fossa
    - 1 scapula, left, glenoid fossa, medial portion of spine, inferior portion of acromion, inferior fourth of coracoid
    - 1 scapula, right, glenoid fossa, inferior portion of acromion, superior third axillary border, very slight lipping on margin of glenoid fossa
    - 1 scapula, right, glenoid fossa, acromion, coracoid, very slight lipping on margin of glenoid fossa
    - 1 scapula, fragment, medial portion of spine, right



Table 17.1 (cont.)

1	scapula, fragment, lateral portion of spine, left
1	scapula, fragment, medial portion of axillary border
3	scapula fragments, body
1	scapula, fragment of acromion
1	clavicle, left, sternal half, epiphysis fused
1	clavicle, left, lateral third, burned
1	clavicle, right, lateral half
1	clavicle, middle third
4	ribs, left, incomplete
2	ribs, right, incomplete
25	rib fragments
1	innominate, left, fragment of ilium with greater sciatic notch (moderate), ilial portion of acetabulum (unfused), portion of auricular surface damaged postmortem, posterior inferior iliac spine damaged postmortem
3	iliac crest fragments, two fused, one unfused
1	acetabulum fragment, fused
1	ilium, fragment of auricular surface, postmortem damage
1	ilium, fragment of body
3	sacrum fragments, posterior surface
6	cervical vertebrae, 1-5, 7
5	thoracic vertebrae, incomplete, one burned
1	vertebra, body, either cervical or thoracic, partially burned, damaged postmortem
2	lumbar vertebrae
6	vertebrae fragments, body, one partially burned
7	vertebral arch fragments, one partially burned
1	femur, left, distal 7/8, missing head and trochanter, midshaft circumference 84 mm (est.), midshaft AP diameter 27 mm, midshaft ML diameter 26 mm, bicondylar breadth 74 mm (est.)
1	femur, right, distal end, both articular surfaces
1	femur, right, distal end, medial articular surface
2	femur, right, proximal ends, head and portion of greater trochanter vertical diameter of head for one 40 mm, for other 41 mm
1	femur, head only, vertical diameter 40 mm
1	femur, left, proximal end, neck
1	femur, fragment of head
1	femur, fragment of greater trochanter
7	femur shaft fragments
2	patella, both right, one large, one small
2	fibula, both left, distal ends
1	fibula, right, distal end, partially burned
2	fibula shaft fragments
1	tibia, left, distal 2/3 shaft, gnawed postmortem
1	tibia, left, distal end
1	tibia, right, distal 3/4
1	tibia, right, proximal 1/2, unfused proximal epiphysis
1	tibia, right, distal 7/8, minus proximal end, periostitis
1	tibia, right, proximal end, complete, partially burned
1	tibia, proximal end, incomplete
2	tibia fragments of unfused proximal epiphysis
1	tibia, distal 1/3 shaft with small portion of unfused end, poss. R

Table 17.1 (cont.)

2	tibia, medial malleoli
1	tibia shaft fragment
1	humerus, left, proximal 2/3 shaft, gnawed postmortem, least circumference 60 mm (est.)
1	humerus, right, distal 1/2 shaft, cracked postmortem down lateral side, least circumference 59 mm (est.)
1	humerus, distal 1/3 shaft
1	ulna, right, proximal end, large
1	ulna, left, proximal end, small
1	ulna, middle 1/3 shaft
1	ulna, left, distal half
1	ulna, fragment from proximal end, area anterior to radial notch
1	talus, left, maximum length 52 mm
1	talus, left, maximum length 56 mm
1	talus, right, maximum length 52 mm, slight to moderate lipping on margins and osteophyte formation on surface of facets
4	calcanea, one left, three right (two incomplete), slight lipping on margins of facets on left and one right
1	first cuneiform, left
1	second cuneiform, left
2	naviculars, one left, one right, not pair
2	first metatarsals, right
1	first metatarsal, right, proximal epiphysis unfused, distal end damaged postmortem
1	second metatarsal, right
1	third metatarsal, right, burned
1	fourth metatarsal, left, distal epiphysis unfused
3	fifth metatarsals, one left, 2 right
1	fifth metatarsal, right, distal epiphysis unfused
4	phalanges, foot
1	phalanx, foot, proximal epiphysis unfused, distal partially fused
1	phalanx, foot, proximal epiphysis unfused, distal fused
1	lunate, left
2	greater multangular, one left, one right
1	capitate, left
1	hamate, right
1	first metacarpal, right
1	second metacarpal, left
1	third metacarpal, right
1	fourth metacarpal, right, distal epiphysis unfused, proximal partially fused
1	fifth metacarpal, left
1	proximal fragment of metacarpal or metatarsal, burned
8	phalanges, hand
3	phalanges fragments, foot or hand
41	miscellaneous long bone fragments, 4 partially burned
42	miscellaneous bone fragments

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18. Human Skeletal Remains from Mound 39,  
13AM190, Accession 107

The human skeletal remains from Mound 39, 13AM190, were fragmented and in very poor condition. They were limited to 20 small fragments of small-sized long bones and three small fragments of cancellous bone similar to that seen in the head of a femur or humerus. These remains represent a minimum of one individual. No estimate of age or sex was possible.

19. Human Skeletal Remains from Mound 38  
13AM190, Accession 109

Human skeletal remains were recovered from Mound 38, 13AM190. This material was fragile, and the skeletal parts were fragmentary and often too small to identify as to bone of origin. The inventory of the skeletal parts can be found in Table 19.1.

The physical condition of these skeletal remains permitted only a small amount of information to be obtained from them. The dental attrition that was observed was compatible with that observed in other aboriginal populations in Iowa and adjacent regions. The single instance of dental caries observed in one lower third molar among 60 non-carious teeth in the collection is not unusual in such populations.

The presence of the petrous portions of five right temporal bones indicated that these remains included parts of at least five individuals. The total number of loose teeth and those in each morphological category probably were from a lesser number of individuals. No other skeletal parts provided any better basis for estimating the number of individuals represented than did the petrous portions of the temporal bones. Evidence pointing to the age of these individuals at the time of death was scant. One vertebral centrum with billowed upper and lower surfaces, a fragment of innominate bone with unfused ilio-ischio-pubic junction, the distal end of a right humerus with unfused epiphysis, a mandibular fragment with an empty third molar crypt, and a loose but unerupted lower third molar were compatible with the remains of at least one individual around 15 years of age. There was nothing available by which the ages of the other individuals could have been discriminated. Three non-contiguous frontal bone fragments with blunt superior orbital borders and one left innominate bone fragment with a narrow greater sciatic notch suggested the remains of at least one

man. Fragments of a left and a right innominate bone with wide greater sciatic notches and a fragment of another innominate bone with preauricular sulcus and a wide greater sciatic notch indicated the remains of at least two women. No signs of pathologic change, other than the single carious tooth, were observed.

Table 19.1. Inventory of human skeletal remains from Mound 38,  
13AM190, Accession 109.

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4	parietal bone fragments, right
3	parietal bone fragments, left
2	frontal bone fragments bordering coronal suture
1	frontal bone fragment with portion of superior orbital border
3	frontal bone fragments, not contiguous, but with blunt orbital borders suggesting a male cranium
1	frontal bone fragment from lateral portion of right orbit
2	zygoma fragments, left and right
5	occiput fragments
2	sphenoid right wing fragments
5	petrous portions of right temporal bones
3	petrous portions of left temporal bones
24	temporal bone other fragments
2	maxilla fragments, left, one with extensively abraded M1, M2 and M3 in situ
3	maxilla fragments, right without duplication
1	maxilla fragment, small
1	mandible, left half, all molars erupted but missing, gonial angle 119
1	mandibular body fragment, left, M1 and M3 present, large carious lesion in M1, attrition of M3
1	mandibular alveolar process with empty crypt of M3
4	mandibular fragments, left side
7	mandibular fragments, right side
14	mandibular fragments, miscellaneous
10	upper molars, loose
10	lower molars, loose
1	lower molar, M3 crown, unerupted, loose
10	upper premolars, loose
11	lower premolars, loose
4	canines, upper, loose
1	canine, lower, loose
4	incisors, upper, loose
3	incisors, lower, loose
210	cranial bone fragments, small, miscellaneous
1	innominate bone fragment, left, with narrow greater sciatic notch, suggestive of a male
2	innominate bone fragments, left and right, with wide greater sciatic notches, suggestive of a female
1	innominate bone fragment, right, with wide greater sciatic notch and preauricular sulcus suggestive of a female
1	innominate bone fragment with unfused ilio-ischio-pubic junction indicative of an adolescent individual
48	innominate bone fragments, miscellaneous
24	vertebra fragments including at least one from subadult individual (billowed surfaces)
65	rib fragments
122	scapula fragments

Table 19.1 (cont.)

5	clavicle fragments
4	humerus head fragments
10	humerus diaphysis fragments
5	humerus distal end fragments
1	humerus distal epiphysis, unfused, right, suggestive of subadult
2	radius heads, left
3	radius distal ends, left
2	radius diaphysis fragments, left
3	radius diaphysis fragments, right
20	radius fragments, miscellaneous
1	ulna proximal end, left
3	ulna proximal ends, right
18	ulna diaphysis fragments, miscellaneous
13	femur fragments, miscellaneous
5	tibia fragments, miscellaneous
20	fibula fragments, miscellaneous
4	patellae, one left, one right, two incomplete
7	carpal bones from left and right hands but without duplication
5	metacarpal fragments
13	phalanges, hand
3	calcanea
1	tarsal, left first cuneiform
3	metatarsal fragments
12	phalanges, foot
19	hand and foot bone fragments, small

Bone fragments too small for meaningful identification and enumeration,  
1805 g

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20. Human Skeletal Remains from Mound 41,  
13AM190, Accession 111

The human skeletal remains from Mound 41, 13AM190, were very limited and in poor condition (Table 20.1). These remains represent a minimum of one individual. From the size of the long bones, this individual was probably an adult. No estimate of sex was possible. No pathological conditions were evident, but the bone cortex of all bones was in poor condition due to deterioration and postmortem animal gnawing. The medullary cavity of the fragments had been reamed out postmortem removing the possibility of observing transverse lines. No observation on the possible nutritional status of this individual was therefore possible.

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Table 20.1. Inventory of human skeletal remains from Mound 41, 13AM190, Accession 111.

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- 1 humerus, left, central third of shaft including deltoid tuberosity
  - 1 humerus, possibly right, distal half of shaft, poor condition, very badly gnawed postmortem (2 fragments that fit together)
  - 1 tibia, possibly left, proximal third shaft
  - 1 long bone shaft fragment, either tibia or femur, badly gnawed postmortem
-



## SUMMARY

The fragmented and poor condition of the human skeletal remains in the Effigy Mounds National Monument Collection limited the amount of information that could be obtained from them. Lack of field notes added to the limitations. In all, twenty separate accession collections were analyzed. A minimum total of 79 (81) individuals was represented; 34 of these were subadults. Dental attrition in adults was moderate to severe. Dental caries was not prevalent. Only six individuals from five sites had evidence of carious lesions. Individuals from two of these sites and a third individual from another site also had suffered from periodontal disease. Osteoarthritic degenerative changes were common in the human remains in the collections. Lytic lesions in vertebra occurred in four individuals from three sites. Periostitis was present in six individuals from five sites. Only one bone, from Accession 70, showed evidence of trauma, a possible healed fracture of a radius. This individual also had suffered from osteoporosis. A second individual from this site also had suffered from osteoporosis. A possible healed lesion or healed fracture on a frontal bone was observed in Accession 13. Limited evidence of environmental stress was present. Only three individuals from three sites had enamel hypoplasias on at least some teeth. Slight porotic hyperostosis was observed on cranial fragments from two sites. Cribra orbitalia was observed on one individual from a third site. Insufficient skeletal material hindered making a definitive statement concerning the overall health and nutrition of the individuals from these accession collections. In all cases individuals were represented by limited remains and in many cases no dentition was present. Cultural affiliation could not be determined for many individuals. Material from accession numbers 1, 5, 8, 16, 53, 78, 106, 107, 109, and 111 are from sites within the Effigy Mounds monument.

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**Item:** Human remains--1 incomplete cranium, facial portion  
**Accession #:** EFMO Accession 63-67  
**Catalogue #:**  
**Description:** One individual, a child was 11 years old  $\pm$  30 months. No estimate of sex was possible.  
**Geographical Location:** Effigy Mounds National Monument, 13CT26, Clayton County, Iowa.  
**Collection History:** accessions 63-67 are from 13CT26; Accessions 64-67 have catalog sheets in file, but no human remains listed; no catalog sheet in file for Accession 63; a note in Dale Hennings EFMO NAGPRA report lists Accession 65, Md 72, John Ingmanson  
**Basis of Determination:** Osteological examination; recovered from Woodland Mound.  
**Cultural Affiliation:** Possibly Middle or Late Woodland.  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska  
**Associated Funerary Objects:** none

A broken and incomplete cranium with several of its fragments clearly marked CT26 was included with the material of Accession 8. It seems likely that the marking CT26 referred to the mound group on the bluff top known variously as the Pleasant Ridge Mound Group, the Jennings-Liebhart Mound Group, Marching Bear Mounds, and the Marquette-Yellow River Mound Group 5.

It is possible that inclusion of this cranium in Accession 8 was quite accidental. The occipito-sphenoidal suture was unfused. Upper permanent first molars were in functional occlusion at the time of death and showed only slight attrition without exposure of dentin. The permanent second molars were beginning to erupt. The permanent third molar crowns, to judge from the left one still in situ, were not fully formed. Permanent premolars and canines were still in their crypts. The dental evidence suggested that this child was 11 years old  $\pm$  30 months.

<b>Item:</b>	Human remains
<b>Accession #:</b>	EFMO Accession 5
<b>Catalogue #:</b>	1990 Deaccession list has catalog number "3929" for Accession 5; in the computerized catalog records this number states — <del>box</del> — SM Md.7, also —uncataloged portions of Accession numbers..., 5
<b>Description:</b>	Fragmented skeletal remains represented a minimum of 1 individual, a probable adult of indeterminate sex. The fragmented and poor condition of the skeletal material severely limited the amount of information that could be determined.
<b>Geographical Location:</b>	Effigy Mounds National Monument, Sny Magill Unit, Clayton County, Iowa (13CT18, Mound 7).
<b>Collection History:</b>	EFMO —Accession Receiving Report" states field collection by Paul Beaubien, authorized excavation of Mds 7, 24, and 43, 13CT18 (Sny Magill); material uncovered and added to the park's collections during August 1951; EFMO Accession book indicates EFMO received the remains August 17, 1952
<b>Basis of Determination:</b>	Osteological examination; recovered from Woodland Mound.
<b>Cultural Affiliation:</b>	Possibly Middle or Late Woodland.
<b>Tribal Affiliation:</b>	Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska
<b>Associated Funerary Objects:</b>	The 64 associated funerary objects are two bifaces, two chert blades, one copper bead, six flake tools, two scrapers, 40 sherds, one rubbing stone, one grinding stone, one hammerstone, one pestle, seven projectile points.

### **EFMO Accession 5, 13CT18, Mound 7, Sny Magill**

Woodland ceramics and projectile points from Accession 5 are in the Effigy Mounds repository. Numerous sources have cited the Sny Magill Mound Group (Lewis 1885; Orr 1935,1942; Starr 1897; Tiffany 1978; Mallam 1976; Logan 1976; Keyes's County Notes). Numerous radiocarbon dates are available for this site (Tiffany 1981:61) ranging from 550 B.C. ± 250 to A.D. 1520 ± 200 (from Mound 24).

A minimum of one individual was represented by these remains. This individual was probably adult based on the thickness of the cranial bone and long bone shaft fragment. No estimate of sex could be made.

The skeletal material was very limited and fragmentary and in extremely poor condition. One small box contained a handwritten note with the following information:

Bone fragments Sny Magill, Mound 7

1. 1'5", 2'18" SE 3'0" NE Sq.4  
other measurements
2. 1'6" deep 3'0" SE, 2'6" NE
3. 1'6" deep 2'10" SE, 3'4" NE.

Plus another small box with a note –Sny Magill Mound 7.”

[notes from 5/19-5/20/2011 examination: Five fragments labeled —M 7 SM” or —M Md 7” were found mixed in with remains from Accession 53, Mound 18—two cranial fragments, one possible cranial fragment (but unusual line/depression on ectocranial surface), one fragment of articular surface (possible femur), and one long bone fragment. In a separate bag (that also seemed to contain Accession 111 bones) were 17 small cranial fragments, 20 small long bone fragments and several tiny fragments, and one cancellous tissue fragment. These long bone fragments and cancellous bone could also match Accession 107, Mound 39, although that accession inventory could also be accounted for from mixed fragments in black plastic bag. Fifteen —tiny miscellaneous bone fragments” were accounted for in Accession 5; three small long bone fragments and the fragment of cancellous bone were moved to the —miscellaneous mixed bone fragments” that could possibly go with Accessions 53, 78, and/or 107]

*Accession 5 Inventory, 13CT18, Mound 7*

**Small box with handwritten note: 1'5", 2'18" SE 3'0" NE Sq.4; 1'6" deep 3'0" SE, 2'6" NE; 1'6" deep 2'10" SE, 3'4" NE**

1 small cranial fragment, labeled —M.7 SM”

1 long bone shaft fragment (possibly femur), labeled —SM Md 7”

1 fragment of an articular surface (possibly head of femur) labeled —SMMd 7”

1 fragment of a tarsal bone—I can’t positively identify any of the fragments as a tarsal bone

**Small box with a note "Sny Magill Mound 7"**

17 very small cranial fragments, 2 labeled —SM Md 7”

15 tiny miscellaneous bone fragments (20 small fragments plus evidence of —acent” breakage, probably post 1986/87)



**Item:** Human remains  
**Accession #:** EFMO Accession 8  
**Catalogue #:** [see separate list]  
**Description:** 14 individuals (11 subadults and 3 adults): 1 fetus; 2 infants, newborn or nearly so; 3 infants between 6 and 12 months old; 1 child between 1 and 2 years old; 1 child between 4 and 5 years old; 1 child between 5 and 6 years old; 1 child around 8 years of age; 1 child between 10 and 12 years old; 1 adult female; 1 adult male between 30 and 35 years old; 1 adult male 50 years of age or older

**Geographical Location:** immediately adjacent to Effigy Mounds National Monument, Clayton County, Iowa (13CT231, Highway 76 Rockshelter).

**Collection History:** Material uncovered as part of excavation of Highway 13/Highway 76 rockshelter (date unknown), and donated by Wil Logan to EFMO in September 1954.

**Basis of Determination:** Osteological examination.

**Cultural Affiliation:** Possibly Woodland.

**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska

**Associated Funerary Objects:** The 162 associated funerary objects are seven fragmentary miniature pots, six antler tools, one biface tool, six animal bone artifacts, 64 bone tools, one core tool, six flake tools, four projectile points, 24 shell tools, and 43 sherds

### **EFMO Accession 8, 13CT231, Highway 76 Rockshelter**

Human skeletal remains were recovered from the Highway 76 Rockshelter, 13CT231, a rockshelter with Woodland cultural associations; some materials in the collection may be from a separate site. Wil Logan had conducted an excavation at this site, then named the Highway 13 Rockshelter, in September 1954. This rockshelter also contains several petroglyphs that may be of prehistoric origin (OSA site sheet).

This collection of skeletal parts was not complete for any individual but represented a random assortment of bones from several individuals ranging in age from a fetal infant to adults. Seventy-three assorted tiny bones and epiphyses clearly indicated the skeleton of a near term fetus. The remains of at least two newborn infants were indicated by three femora, two tibiae, a left ilium, and one vertebral centrum. The remains of at least three infants between the ages of 6 and 12 months were suggested by diaphyses of three left humeri, a right ischium, and a right pubis. Another right ischium suggested a child between 1 and 2 years old.

A left ulna diaphysis approximately 118 mm long was from a child between 4 and 5 years old. A child between 5 and 6 years old was indicated by a left maxilla with deciduous and permanent molars in situ. The diaphysis of a left femur 255 mm long was from a child around 8 years old. The unfused right ilium suggested a possible child around 10 or 12 years old.

Three left fibulae were conclusive proof of the inclusion of the remains of at least three adult individuals in this collection. The one complete adult femur had the metric characteristics of a male. Two right adult pubic bones were from male individuals, one of whom was between 30 and 35 years of age and the other 50 years of age or older at the times of death. The third adult was a female as indicated by the wide greater sciatic notch of an incomplete right innominate bone.

The single complete adult femur in this collection had male metric characteristics. Its maximum length was 433 mm. The stature of this individual was estimated to be  $165.66 \pm 3.80$  cm as calculated by the regression equations of Trotter and Gleser (1958) for Mongoloid males.

***Accession 8 Inventory, 13CT231, Highway 76 Rockshelter***

- 2 teeth present—incisor #5041; canine # 5041
- 1 cranial vault bone fragments # 4696, burned
- 1 vertebrae, cervical, adult # 5111
- 1 vertebrae, lumbar, adult, one with lobulated cystic lesion of body #5189
- 1 vertebrae, thoracic, subadult # 4592, could be older subadult
- 1 vertebral arch, thoracic (5-7 years) [could be #5025]
- 1 vertebrae, cervical, infant [1 unfused body present, could be cervical or thoracic, #5034]
- 3 vertebral bodies, young child, # 4686 (2), # 4859
- 1 vertebral body, newborn infant, #4998
- 4 rib fragments--#5122, 5148, 4869 and 1 no #]
- 1 clavicle, right, adult, #4963
- 1 clavicle, left, much smaller, lacks sternal epiphyses (8-10 years), #4878
- 1 scapula, right (3-6 years), #4600
- 1 scapula, right, fetal or newborn, #4954
- 1 humerus diaphysis, left, length 78 mm, infant around 1 year old, #4870
- 1 humerus diaphysis, left, length 72 mm, infant between 0.5 and 1 year, #5123
- 1 humerus diaphysis, left, length 62 mm, infant not older than 6 months, #4946
- 1 humerus distal end, without epiphysis, left (8-10 years), #5190
- 1 ulna, distal end, left, adult, #5427
- 1 ulna, left, without epiphyses, length (est.) 118 mm (4-5 years), #5516
- 2 radius fragments, right, adult —distal 1/8, #4800, proximal end, no number
- 1 radius, right, proximal half, without epiphysis (8-10 years), #5394

*Accession 8 Inventory continued (page 2 of 2)*

- 1 small fragment, #5189
- 1 pubic bone, left (4-5 years), #5098
- 1 ischium, right (1-2 years), #4801
- 1 ischium, right, newborn to 1 year old, #5239
- 1 pubic bone, right, newborn to 1 year old, 5479
- 1 ilium, left, newborn infant, #5033
- 2 femora, left and right, length 69 mm, late fetal or early newborn infant, #4945 (both)
- 1 femoral distal epiphysis, bicondylar diameter 58 mm, child around 8 years old, #4925
- 1 femoral distal epiphysis, bicondylar diameter 67 mm (10-12 years), #4939
- 2 tibiae, left and right, length 63 mm, late fetal or early newborn, #4946, #5020
- 2 fibula fragments, #4822, 5558
- 3 fibula fragments—proximal ½, #5115; proximal ¼, #5636; distal end, #5520
- 1 patella, right, adult, #5220
- 3 calcanea, adult, 3 different sizes, #4776, #4960, #5103
- 2 calcanea, without epiphyses, subadult, different ages, #5108, #5480
- 2 cuboid bones, right (#5362) and left (#5188)
- 1 cuboid bone fragment, #4715
- 3 naviculars (1 is fragmentary), #5026, #5109, #5239 (fragment)
- 1 cuneiform, third, #5239
- 2 hamate bones, #4885, #5494
- 2 capitate bones, #4998, 5594
- 1 lunate bone, #4817
- 1 humerus head epiphysis, child around 10 years old, #5430
- 1 femur head epiphysis, child around 10 years old, #5695
- 1 tibia distal epiphysis, child between 6-10 years, #5707
- 7 epiphyses, infant bones, #5051 (3), 5589 (or 5689?) (2), 5051, 5239 (2)
- 8 metacarpals, adult, #4679, 4788, 4972, 5227 (2), 5473 (2), 5475
- 5 metatarsals, adult, #4966, 5021, 5121, 5124, 5434 (plus one fragment #4816)
- 37 phalanges, hand, adult [28 adult bones present--#4593, 4594, 4633, 4685, 4691, 4694, 4940, 4971, 4980, 5032 (3), 5093 (3), 5096, 5127, 5153, 5200, 5206, 5236, 5476 (3), 5477, 5481, 5482, 5483, plus 9 subadult hand and foot bones, #4790, 4920, 5047 (3), 5147, 5153, 5233, 5586
- 13 phalanges, foot [17 present--#4789, 4791, 4795 (2), 4981 (2), 5028, 5032, 5072, 5093 (3), 5097, 5099, 5225, 5231, 5474]
- 12 distal phalanges [11 present--#4889, 4920, 5038, 5042, 5156, 5206 (2), 5233, 5484 (3)
- 73 assorted bones and epiphyses from fetal skeleton [bones with numbers—ulna (4949), radius (4949), proximal 1/3 humerus (4947), clavicle (4953), possible fibula (4951), long bone fragment (4958), ribs (4950 (8), 4951, 4952, 4955 – 3, 4982, 5056) miscellaneous fragment (4956), 2 cranial fragments (both 5132), 2 hand bones (5051, 5362), femur distal epiphysis (5480)
- 6 fragments non-human bones #4475, 5020, 5047, 5239, two pieces with no numbers
- 1 infant metacarpal or metatarsal, #5463 (moved from upper drawer of NAGPRA case)
- 1 cuneiform (tarsal), #5285
- 1 possible human subadult carpal, #5405
- 1 newborn/infant metacarpal or metatarsal, #5308
- 1 possible human infant metacarpal or metatarsal, #4613
- 1 possible human metacarpal or metatarsal, infant or young child, #5211
- 1 newborn/infant rib (2 pieces that fit together, both #5535)
- 4 possible human rib fragments, young subadult, #4608, 4640, 4991 (2)
- 1 possible human subadult rib, partially burned, #5207
- 1 possible human rib fragment, adult, #5224

1 possible human long bone epiphysis, infant, #5698  
1 epiphysis of long bone, ca. half, could be part of distal epiphysis of femur or proximal tibia, #5280  
1 possibly human older subadult femur shaft fragment, #4488  
1 small fragment of long bone, possibly human, #5521  
1 possible fetal cranial fragment, #4802

**Catalog numbers present and accounted for:**

4592, 4593, 4594, 4600, 4633, 4679, 4685, 4686 (2), 4691, 4694, 4696, 4715, 4776, 4788, 4789, 4790, 4791, 4795 (2), 4800, 4801, 4816, 4817, 4822, 4859, 4869, 4870, 4878, 4885, 4889, 4920 (2), 4925, 4927, 4939, 4940, 4945 (2), 4946 (2), 4947, 4949 (2), 4950 (8), 4951 (2), 4952 (2), 4953, 4954, 4955 (3), 4956, 4958, 4960, 4963, 4966, 4971, 4972, 4980, 4981 (2), 4982, 4998 (2), 5020 (2), 5021, 5025, 5026, 5028, 5032 (4), 5033, 5034, 5038, 5041 (2), 5042, 5047 (4), 5051 (4), 5056, 5072, 5093 (6), 5096, 5097, 5098, 5099, 5103, 5108, 5109, 5111, 5115 (1 of 2), 5121, 5122 (1 of 2), 5123, 5124, 5127, 5132 (2), 5147, 5148, 5153 (2), 5156, 5188, 5189 (2), 5190, 5200, 5206 (3), 5220 (2), 5225, 5227 (2), 5231, 5233 (2), 5236, 5239 (4 + 1 non-human fragment with that number), 5362 (2), 5394, 5427, 5430, 5434, 5473 (2), 5474, 5475, 5476 (3), 5477, 5478, 5479, 5480 (2), 5481, 5482, 5483, 5484 (3), 5494, 5516, 5520 (2), 5558, 5586, 5589 (2), 5594, 5636, 5695, 5707

**Item:** Human remains  
**Accession #:** EFMO Accession 16  
**Catalogue #:**  
**Description:** Fragmented skeletal remains represent a minimum of two individuals, one of a child around 5 years old and the other of an adult who may have been a female.  
**Geographical Location:** Effigy Mounds National Monument, Allamakee County, Iowa (13AM190, Mound 36 or 37).  
**Collection History:** Excavated by Dr. Henry Field, Decorah, Iowa, in 1928, and either part of his excavation of Mound 36 or Mound 37. Dr. Field donated the remains to EFMO on 2/23/1958  
**Basis of Determination:** Osteological examination; recovered from Woodland Mound.  
**Cultural Affiliation:** Possibly Middle or Late Woodland.  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska

**Associated Funerary Objects:** The four associated funerary objects are one crystal, one miniature pot, one paint stone, and one rubbing stone.

### **EFMO Accession 16, 13AM190, Mound 36 or Mound 37**

Human skeletal remains were recovered from either Mound 36 or Mound 37, 13AM190, Effigy Mounds National Monument. This effigy mound complex, Fire Point or Procession Mound Group, contains one bear and 19 conical mounds. Four additional accession collections from this site are: Accession 106 (Mound 33), Accession 107 (Mound 39), Accession 109 (Mound 38), and Accession 111 (Mound 41). A radiocarbon date of A.D. 200 ± 300 for this site is based on charcoal recovered from Mound 33 (Tiffany 1981:61).

The remains are parts of at least two skeletons, one of a child around 5 years old and the other of an adult who may have been a female.

There were no available field notes or other information about the small collection of human skeletal parts that were included in this accession. All of the remains were fragmentary because of their poor state of preservation. The bones had been covered generously with a varnish of unknown composition that had prevented further gross disintegration.

The child's skeleton was represented by the posterior one-half of the left half of a mandible, the inferior portions of left and right temporal bones, four inferior fragments of parietal bones, and two fragments of the squamous portion of the occiput. All of these vault fragments were thin, and traces of sutures showed scant evidence of fusion. The mandibular fragment retained fully erupted first and second deciduous molars and all permanent teeth including and distal to the canine tooth. The crown of that tooth was incompletely formed and remained in its crypt near the inferior border of the mandible. The occlusal plane of the crown of the first permanent molar was nearing emergence from its crypt but lacked attainment of the level of the cervical line of the second deciduous molar by about 2 mm. The developing crown of the second permanent molar could be seen through a break in the roof of its crypt. These developmental

features are compatible with an age of around 5 years. Some of the enamel of the deciduous molars had exfoliated and that which remained was so heavily coated with varnish that detailed inspection was difficult. However, attrition seemed slight.

The remains of the adult skeleton consisted of an incomplete calva that retained most of the right temporal bone, the anterior half of left and right maxillae, most of the body of the left half of a mandible without ramus and symphyseal area, the incomplete proximal two-thirds of a left humerus, four fragments of the shaft of another humerus, a fragment of radius shaft, and a smaller fragment of ulna shaft. The sutures of the cranial vault appeared to be closed. There was 5th degree (Hinton 1981) attrition on the upper incisors and canines; 4th degree on the upper premolars, lower left second premolar, and lower first and second molars; and 3rd degree on the third molar. The vertical diameter of the head of the incomplete left humerus was 44 mm, which was much closer to the female mean value than the male mean diameter (Krogman 1962). The square chin and robusticity of the adult mandible fragment raised the possibility that it may not be related to the humerus, or the vertical diameter of the humerus head may represent an individual whose measurement is near the lower limit of the male range. If the mandibular fragment is not related to the humerus the skeletal parts in Accession 16 represent at least three individuals. There is no practical way to remove this doubt.

### ***Accession 16 Inventory, 13AM190, Mound 36 or 37***

#### **Subadult remains**

- 1 mandible, posterior one-half of the left half; in situ were fully erupted first and second deciduous molars and all permanent teeth including and distal to the canine tooth [#639] [includes now broken fragment of condylar part of ramus]
- 2 temporal bones, the inferior portions of left and right [both # 639]
- 2 parietal bones, four inferior fragments [both #1656]
- 2 occipital fragments, squamous portion [both #1656]

#### **Adult remains**

- 1 calva, incomplete, retained most of the right temporal bone [#637 with 1201 written in different handwriting and ink, the "1201" number doesn't correspond to an EFMO #]
- 2 maxillae, anterior half of both left and right—in situ incisors, canines, premolars [both #638] [had been fused, now in two pieces]
- 1 mandible, most of the body of the left half, missing ramus and symphyseal area—in situ second premolar, first through third molars [#638]
- 1 humerus, left, incomplete proximal two-thirds [#644] [now in 3 pieces, only 1 labeled]
- 4 humerus fragments, shaft of a second humerus [#642 and 643 + possible unlabeled proximal end that is infused with lacquer and no cortex] [only 3 fragments, 1 falls into "unaccounted for" category or the fragment too badly fragmented to identify]
- 1 radius fragment [#641]
- 1 ulna shaft fragment [#640]

[added based on July 2011 examination: 13 small miscellaneous cranial fragments, some showing "recent" breakage (at least some probably post 1987); 3 with #1656, one (possibly 2) with #637, and 8 unlabeled. Also 5 long bone shaft fragments (size of radius/ ulna/fibula, 3 labeled #640, 2 unlabeled) and 27 tiny miscellaneous fragments]

**Item:** Human remains  
**Accession #:** EFMO Accession 53  
**Catalogue #:**  
**Description:** Fragmented skeletal remains represent a minimum of 3 individuals, 2 adults (one approximately 35 years of age or older) and 1 subadult (less than 10-15 years of age). Sex of the adult individuals could not be determined. The fragmented and poor condition of the skeletal material severely limited the amount of information that could be determined.

**Geographical Location:** Effigy Mounds National Monument, Allamakee County, Iowa (13AM207, Mound 18).

**Collection History:** Material recovered during excavation of Mound 18 by Wilfred Husted during a 1971 NPS project. The accession was added to the monument's records by Jim Mount during 1976.

**Basis of Determination:** Osteological examination; recovered from Woodland Mound.  
**Cultural Affiliation:** Possibly Middle or Late Woodland.  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska

**Associated Funerary Objects:** none

#### **EFMO Accession 53, 13AM207, Mound 18**

The human skeletal remains from Mound 18, 13AM207, were very fragmented and consisted of a mixture of burned and unburned bone. These fragmented remains represented a minimum of three individuals, one subadult and two adults, one approximately 35+ years. Sex of these individuals could not be determined.

The presence of three duplicated portions of proximal shafts of femora indicated that a minimum of three individuals was represented by these remains. The unfused proximal epiphysis of one femur, the presence of two subadult ribs, and the unfused acetabulum portion of an ilium and ischium indicated the presence of at least one subadult less than 10-15 years of age. The other two femora suggested that the remaining two individuals were adults. The coronal suture of the parietal/frontal bone fragment was fused completely endocranially. Ectocranially, fusion was partial in the medial half to complete fusion laterally. The anterior third of the sagittal suture in this cranial fragment had completely fused endocranially and partially fused ectocranially. This complete and partial fusion suggested one of the adults was approximately 35+ years of age.

Evidence suggesting the sex of the individuals was extremely limited and equivocal. One gonial angle appeared obtuse but was not measurable due to the incompleteness of that fragment. The three frontal fragments of the supraorbital area all had blunt orbital margins. Due to the fragmented and generally poor condition of the remains, no measurements were possible. Sex of these individuals cannot reliably be estimated.

### **EFMO Accession 53, 13AM207, Mound 18**

- 1 cranial fragment, burned, coronal/sagittal quarter of left parietal, 7-10 mm of corresponding right parietal and frontal bones with coronal suture [now 4 pieces]
- 1 cranial fragment, burned, left and right parietal, posterior portion of sagittal suture area [2 fragments that could represent this]
- 3 frontal bone fragments, burned, supraorbital area, 1 right, 2 left
- 2 temporal bone fragments, burned, mastoid process area [now 4 fragments]
- 42 miscellaneous cranial fragments, burned [54, but some are very small; possibly due to "acent" breakage]
- 1 mandible fragments, burned, anterior portion area of symphysis, two sets of genial tubercles [1 present;
- 1 mandible, fragment, burned, right gonial angle, inferior one-eighth of ramus, slight gonial eversion [ramus portion not present, but could have broken off and fragmented]
- 1 mandibular condyles, burned, one right, one left [right present]
- 1 coronoid process, burned, left [labeled EFMO Mound 18 11 (or 71)]
- 2 teeth, burned, mandibular, fragmented, only roots remaining, probably one molar and one incisor
- 1 mandible, fragment, right, posterior alveolar ridge
- 1 sternum, fragment, burned
- 2 ribs, right, from subadult, unburned [both labeled EFMO Mound 18 7]
- 6 rib fragments, burned [3 of 6 present; rest could be in with Misc. Mixed fragments if badly fragmented post 1987]
- 3 vertebrae, thoracic, burned [one labeled EFMO Mound 18 25]
- 1 lumbar, unburned [labeled EFMO Mound 28 2]
- 1 lumbar fragment, arch, burned
- 10 vertebrae fragments, burned
- 1 scapula, fragment of acromion, burned
- 1 innominate, right, fragment of ilium including portion of greater sciatic notch and tiny portion of acetabulum, unburned [labeled EFMO Mound 18 22]
- 1 innominate, left, fragment of ilium including portion of greater sciatic notch and portion of acetabulum, fragment of ischium with portion of acetabulum, unfused (may match with right innominate fragment), unburned [labeled EFMO Mound 18 3]
- 1 innominate, small fragment of acetabulum, unburned [labeled EFMO Mound 18 2]
- 1 femur, left, proximal 3/4 and unfused proximal epiphysis, unburned but in poor condition [now in 2 pieces; 1 labeled EFMO Mound 18 1]
- 1 femur, left, proximal third of shaft, unburned, poor condition [now in 2 pieces; 1 labeled EFMO Mound 18 16]
- 1 femur, left, proximal fourth of shaft, burned
- 1 femur, right, proximal fourth of shaft and distal third of shaft, burned
- 2 femur midshaft fragments, burned
- 1 femur, distal end fragment, possibly left, burned [labeled EFMO Mound 18 30]
- 1 femur proximal epiphyseal fragments, unburned]
- 1 tibia, fragments proximal end, unburned
- 1 tibia, fragment shaft, unburned [labeled EFMO Mound 18 21]
- 1 fibula, left, distal end, burned [labeled EFMO Mound 18 27]
- 1 navicular, foot, left, burned [labeled EFMO Mound 18 28]
- 1 tarsal fragment, possibly first or third cuneiform, burned [labeled EFMO Mound 18 29]
- 1 calcaneous, fragment, right, burned [labeled EFMO Mound (*broken*) 31
- 1 third metatarsal, right, burned
- 1 fourth metatarsal, right, burned
- 1 fifth metatarsal, proximal half, probably right, burned [labeled EFMO Mound 18 15]



3 humerus shaft fragments, burned  
1 humerus distal end fragment, burned [labeled EFMO Mound 18 10]  
1 radius, proximal fourth of shaft, possibly left, burned  
1 radius, central third shaft, not burned [labeled EFMO Mound 18 5]  
1 radius, head, unburned  
5 radius shaft fragments [one is unburned]  
3 ulna shaft fragments  
2 ulna proximal end fragments, both right [1 labeled EFMO Mound 18 34; 1 no label]  
1 metacarpal fragment, distal half  
1 phalanx fragment, hand, proximal half [now ca 1/5]  
25 miscellaneous long bone shaft fragments, burned  
24 miscellaneous long bone shaft fragments, unburned  
9 miscellaneous bone fragments, five burned  
[note for misc. fragments above—22 present, but the other 36 could easily be accounted for in the  
Miscellaneous Mixed fragments]

**Item:** Human remains  
**Accession #:** EFMO Accession 70  
**Catalogue #:**  
**Description:** Minimum of 3 individuals, a probable adult, one older child, and one infant or newborn. No estimate of sex was possible. These remains likely represent individuals previously reburied by the Iowa OSA.  
**Geographical Location:** near Effigy Mounds National Monument, Marquette Rockshelter, probably Clayton County, Iowa.  
**Collection History:** not known  
**Basis of Determination:** Osteological examination  
**Cultural Affiliation:** [Woodland cultural material from this rockshelter in EFMO collections]  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska  
**Associated Funerary Objects:** The 138 associated funerary objects are one scraper, 33 bone tools, five flake tools, five antler tools, 14 shell tools, 79 sherds, and one fragmentary trade pipe.

### **EFMO Accession 70, Marquette Rockshelter**

1 probable human metacarpal, older child, #4150  
1 probable human epiphysis, newborn or infant, #4154  
1 metacarpal, infant, #4454  
1 rib fragment, possibly human, subadult, #4458  
1 foot phalanx, child, #4553  
1 incisor, possibly human, adult, postmortem damage, #4484  
1 rib fragment, possibly human, #4556

<b>Item:</b>	Human remains
<b>Accession #:</b>	EFMO Accession 78
<b>Catalogue #:</b>	
<b>Description:</b>	Fragmented skeletal remains represent a minimum of 4 individuals, 2 adults (one possibly male and one possibly female) and 2 subadults (one 1.5-2.5 years of age, one 5.0-6.0 years of age). The fragmented and poor condition of the skeletal material severely limited the amount of information that could be determined.
<b>Geographical Location:</b>	Effigy Mounds National Monument, Allamakee County, Iowa (13AM101, Mound 12).
<b>Collection History:</b>	[according to EFMO —Accession Receiving Report” in Accession 78 file, —source of accession” was John Ingmanson, Roswell NM; material recovered during excavation of Mound 12; Accession added to the monument’s records by Jim Mount in 1977]
<b>Basis of Determination:</b>	Osteological examination; recovered from Woodland Mound.
<b>Cultural Affiliation:</b>	Possibly Middle or Late Woodland.
<b>Tribal Affiliation:</b>	Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska
<b>Associated Funerary Objects:</b>	none

### **EFMO Accession 78, 13AM101, Mound 12**

Human skeletal remains were recovered from Mound 12, 13AM101, the Red House Landing Mound Group. This effigy mound complex contains one bear, one linear, and five conical mounds. All are within the North Unit of the Effigy Mounds National Monument. This site has radiocarbon dates of A.D. 210 ± 110 (from Mound 12) and 10 B.C. ± 90 (Tiffany 1981:61). The skeletal material was a mixture of burned, partially burned and unburned bone. Burned earth had adhered to some of the bone fragments. The human remains were limited and very fragmented.

The human skeletal remains from Mound 12, 13AM101, represented two subadults, aged 1.5-2.5 and 5.0-6.0 years of age, and two adults of unknown age. Of the two adult individuals, one was probably male and one possibly female, although the evidence was limited.

At least two subadults were indicated based on the presence of two small, right acromial ends of clavicles and fragments of two sizes of long bones. Three loose, unerupted permanent molars suggested the presence of one small child 1.5-2.5 years of age. Two loose, unerupted permanent teeth, a maxillary I1 and M2, indicated the other subadult was 5.0-6.0 years of age.

At least two adults are indicated based on incomplete but duplicate femoral shafts, occipital bones, and two left zygomatic processes of frontal bones. No estimate of age of these individuals was possible.

Indicators of sex were limited and somewhat equivocal. The small mastoid process could suggest the presence of a female or it could belong to the 5-6 year old child. The incomplete mandible had no gonial angle to measure. Teeth were fully erupted and the mandible was small in size suggesting a possible female adult, but the incomplete chin gave the appearance of being squared, a male trait. The right frontal fragment with the supraorbital ridge and superior margin

of the orbit suggested a possible male. A fragment of the supraorbital ridge of a second individual indicated a probable male. The estimated midshaft circumference of a femur, 87 mm, was in the male range, supporting the estimate of at least one male.

### **EFMO Accession 78 Inventory, 13AM101, Mound 12**

- 1 occipital fragment, burned
- 4 temporal fragments, two petrous portions, one left petrous portion, external auditory meatus and mastoid process (small), and one left zygomatic process, all burned
- 17 cranial fragments, burned
- 8 cranial fragments, partially burned
- 1 frontal fragment, right supraorbital ridge (moderate) and superior margin of orbit (blunt), large medial notch, burned
- 1 frontal fragment, small fragment of superior margin of orbit, burned
- 1 mandible, left half body, alveolar sockets for right I1 and I2 and sockets for left I1-M2, teeth lost postmortem, distal root tip of left M1 and root tips for M2 remaining, burned
- 2 mandible fragments of ramus, burned
- 1 mandible fragment of gonial angle, burned
- 1 mandible condyle, unburned
- 2 femora, incomplete shafts, left and right, probably pair, partially burned, estimate of midshaft circumference=87 mm
- 3 femur shaft fragments, subadult, two sizes, burned
- 1 tibia shaft fragment, subadult, burned
- 4 fibula shaft fragments, possibly subadult size, burned [now 5 fragments]
- 83 miscellaneous long bone fragments, partially burned
- 31 miscellaneous long bone fragments, burned
- 2 fragments distal end femur, partially burned
- 8 fragments articular surfaces, 6 burned
- 1 patellae, incomplete, burned [1 patella present]
- 1 metatarsal, proximal half, partially burned
- 2 fragments clavicle, two right acromial ends, both small in size, burned [the 2 acromial ends present]
- 3 vertebral body fragments, burned [3 present]
- 1 rib fragment, burned
- 8 miscellaneous bone fragments
- 2 fragments ilium, border, burned
- 22.4 g tiny bone fragments, mix of burned and partially burned

#### *Bone from west end of cremation, one to 5" higher than other*

- 2 occipital fragments, one burned, could go with fragment from main inventory
- 1 sagittal fragment, unburned
- 1 frontal fragment, small portion of superior border and supraorbital ridge, prominent, unburned
- 13 cranial fragments, unburned
- 3 cranial fragments, burned
- 1 fragment femur shaft
- 2 fragments articular surface, possibly femur head, burned
- 3 tibia shaft fragments [probably present in the badly fragmented bones]
- 8 miscellaneous long bone fragments, two burned
- 2 miscellaneous bone fragments

#### *fill from ash and burned layer*

- 1 occipital fragment, burned, matches occipital fragment from —bonøwest end” inventory

- 1 frontal fragment, left zygomatic process, burned, could go with right orbit from main inventory but does not pair with left zygomatic process
- 7 miscellaneous cranial fragments, burned
- 1 fragment alveolar ridge with two single-rooted sockets, probably mandible, burned
- 1 tibia shaft fragment, adult, periostitis, slight remodeling, partially burned [2 fragments with periostitis]
- 11 miscellaneous long bone fragments, partially burned
- 9 miscellaneous long bone fragments, burned
- 20 miscellaneous small bone fragments, mix of burned and partially burned

teeth from Md. 12 southern part of cremation

- 2 mandibular M1, possibly right and left, C 3/4, 1.55 years
- 1 maxillary M1, Cr<sub>c</sub> 2.25 years
- 1 maxillary M2, Cr 3/4, 5.5 years
- 1 maxillary I1, left, Cr<sub>c</sub> 5.1 years, two enamel hypoplastic lines: at 3.7 mm and 5.1 mm
- 1 unerupted tooth, possibly mandibular M2 but incomplete

**Item:** Human remains  
**Accession #:** EFMO Accession 95  
**Catalogue #:**  
**Description:** Minimum of 1 individual, a probable adult, possibly male.  
**Geographical Location:** Effigy Mounds National Monument, Allamakee County, Iowa.  
**Collection History:** [According to the EFMO "Accession Receiving Report" in the Accession 95 file, the material was found in artifact storage cases during 1985; all of the items were originally cataloged under lot #1129 by the University of Nebraska in 1975. There is no info in the files concerning where the material came from, how it was acquired or from whom. ]  
**Basis of Determination:** Osteological examination  
**Cultural Affiliation:** probable prehistoric Native American  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska  
**Associated Funerary Objects:** none

#### **EFMO Accession 95, unknown provenience**

Not listed on the 1986 loan form; not examined in 1986/87 by OSA. The 1990 deaccession list includes two catalog numbers for this accession.

#### **EFMO Accession 95 Inventory**

1 innominate, labeled "194"  
 1 long bone shaft, badly gnawed, labeled "1941"

**Item:** Human remains  
**Accession #:** EFMO Accession 107  
**Catalogue #:**  
**Description:** Twenty-three small bone fragments representing a minimum of 1 individual. No age or sex estimate possible.  
**Geographical Location:** Effigy Mounds National Monument, Allamakee County, Iowa (13AM190, Mound 39).  
**Collection History:** [According to the EFMO —Accession Receiving Report” in the Accession 107 file, the —source of collection” is Garland Gordon; accession consists of 3 stone flakes and several fragments of human bone found in storage boxes marked Md. 39. No other documentation is available. The material was recovered during 1965.]  
**Basis of Determination:** Osteological examination; recovered from Woodland Mound.  
**Cultural Affiliation:** Possibly Middle or Late Woodland.  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska  
**Associated Funerary Objects:** The three associated funerary objects are flakes.

**EFMO Accession 107, 13AM190, Mound 39**

The human skeletal remains from Mound 39, 13AM190, were fragmented and in very poor condition. They were limited to 20 small fragments of small-sized long bones and three small fragments of cancellous bone similar to that seen in the head of a femur or humerus. These remains represent a minimum of one individual. No estimate of age or sex was possible.

**EFMO Accession 107 Inventory, 13AM190, Mound 39**

20 small fragments of small-sized long bones  
3 small fragments of cancellous bone

**Item:** Human remains  
**Accession #:** EFMO Accession 111  
**Catalogue #:**  
**Description:** Minimum of 1 individual, a probable adult. No estimate of sex was possible. The fragmented and poor condition of the skeletal material severely limited the amount of information that could be determined.

**Geographical Location:** Effigy Mounds National Monument, Allamakee County, Iowa (13AM190, Mound 41).

**Collection History:** [According to the EFMO —Accession Receiving Report” in the Accession 107 file, the —source of collection” is Garland Gordon; material recovered during excavation of Md 41; work completed during 1965]

**Basis of Determination:** Osteological examination; recovered from Woodland Mound.  
**Cultural Affiliation:** Possibly Middle or Late Woodland.  
**Tribal Affiliation:** Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska

**Associated Funerary Objects:** The three associated funerary objects are three flakes.

### **Accession 111, 13AM190, Mound 41**

The human skeletal remains from Mound 41, 13AM190, were very limited and in poor condition. These remains represent a minimum of one individual. From the size of the long bones, this individual was probably an adult. No estimate of sex was possible. No pathological conditions were evident, but the bone cortex of all bones was in poor condition due to deterioration and postmortem animal gnawing.

### **EFMO Accession 111 Inventory, 13AM190, Mound 41**

1 humerus, left, central third of shaft including deltoid tuberosity  
 1 humerus, possibly right, distal half of shaft, poor condition, very badly gnawed postmortem (2 fragments that fit together)  
 1 tibia, possibly left, proximal third shaft  
 1 long bone shaft fragment, either tibia or femur, badly gnawed postmortem



***EFMO Accession 13, New Albin Rockshelter—reburied by OSA***

1 human skull

Recovered from the floor of a rockshelter, exact location unknown, south and west of New Albin, Iowa. Reportedly, a game warden turned over the remains to the Effigy Mounds National Monument. No additional information was available.

***EFMO Accession 14, Elephant Terrace, 13AM59—reburied by OSA***

Human skeletal remains were recovered from the Elephant Terrace, 13AM59, formerly 13AM106. Two subadults, 1-3 years of age and 5.5-7.0 years of age, and five adults were represented.

Information from the Office of the State Archaeologist site records indicates this site contains Archaic, Early, Middle, and Late Woodland components and Oneota village and burial components. Additional human skeletal material from this site was in the Keyes Collection, Iowa State Historical Society, Iowa City.

[Arbitrary labels (A, B, etc.) were given to various bones within their element group and do not indicate that the bones are from the same individual.]

*Accession 14 Inventory, Elephant Terrace, 13AM59.*

- 9 parietal bone fragments
- 3 occipital bone fragments, one basilar, two squamous portion
- 2 temporal bones, one left with mastoid process (small), external auditory meatus, TMJ, zygomatic process, petrous portion; one fragment of petrous portion
- 7 frontal bone fragments, six pieces fit together for one individual includes nasal suture area and most of left half of frontal bone, very smooth supraorbital area, superior orbital margin somewhat blunt
- 2 zygomas, one left, one right, not a pair
- 3 sphenoid fragments
- 6 miscellaneous cranial fragments
- 2 maxilla, one left, labeled "F"; one right (inferior half) "G"
- 1 mandible, superior half ramus missing postmortem on right, completely gone on left, labeled "A" and "C"
- 1 mandible, right half complete to just beyond genial tubercles, labeled "B"
- 1 mandible, left, posterior half, body from M2 to complete ramus, labeled "D"
- 1 mandible, left, subadult (ca. 5.5-7 years of age), labeled "E"
- 2 mandible fragments, one coronoid process that could match mandible "E", one right ramus from adult mandible
- 4 loose teeth, subadult, one I2, one C, one M3, one dm2
- 13 loose teeth, seven very worn, six with slight to moderate attrition
- 7 ribs, left, incomplete
- 1 rib, right, first
- 21 rib fragments
- 2 ribs, subadult, left, incomplete
- 4 rib fragments, subadult
- 1 vertebra, fragment of body, billowy surface
- 1 vertebra, fragment of axis, unfused tip of Dens epistropheus
- 1 vertebra, cervical, arch and body fused but surface of body still billowy
- 3 vertebrae, cervical, adult, one complete, one incomplete axis
- 4 vertebrae, thoracic, adult, two complete, two incomplete
- 5 vertebrae, lumbar, adult, three complete probably from same individual, two incomplete
- 4 vertebral fragments
- 1 scapula, left, glenoid fossa, superior 1/8 of axillary border, inferior 1/8 coracoid, epiphysis on coracoid not completely fused (slightly younger than 15-18 years of age)
- 1 scapula, right, glenoid fossa, acromion, inferior 1/4 coracoid, slight lipping on margins of glenoid fossa
- 1 clavicle, right, missing sternal end, acromial end damaged slightly postmortem
- 1 clavicle, central third
- 1 clavicle, sternal two-thirds, unfused sternal epiphysis, small in size (ca. 1-3 years of age)
- 1 sacrum, inferior two-thirds, fused, slight lipping on margins of iliac articular surfaces, pronounced curvature

*Accession 14 Inventory continued*

- 1 sacrum, superior half to two-thirds, somewhat fragmentary, curve appears flatter, segments fused, moderate lipping on margins of lumbar and iliac articular surfaces, width of body 42 mm, width of ala 38 mm, maximum anterior breadth 119 mm
- 3 sacral fragments
- 1 innominate, left, inferior two-thirds ilium, ischium, greater sciatic notch sharp, slight lipping on margins of acetabulum
- 1 innominate, left, inferior two-thirds ilium, ilial half of pubis, greater sciatic notch broad, preauricular sulcus, slight osteophyte development superior border of acetabulum
- 1 innominate, pubis, right, probably male
- 1 innominate, right, antero-inferior fourth of ilium, ischium, and pubis, slight lipping margins of acetabulum and slight osteophyte development superior border of acetabulum, greater sciatic notch broad
- 1 femur, left, proximal 7/8, distal end missing, labeled "A"
- 1 femur, left, proximal half, labeled "8"
- 1 femur, left, proximal 7/8, distal end missing, labeled "C"
- 1 femur, right, proximal 7/8, distal end missing, surface of shaft weathered, labeled "D", probably pair with femur "A"
- 1 patella, left
- 1 fibula, distal two-thirds, distal epiphysis not fused, shaft diameter/circumference smaller than adult fibulae
- 2 fibulae, distal 3/4, left and right
- 1 fibula, midshaft, large size
- 2 fibula fragments, one right proximal, one distal
- 1 tibia, left, distal half shaft, two small sections of unfused epiphyseal end shows epiphysis not fused, bone not full-size, slight periostitis on proximal half of the distal half present, shows evidence of some healing, labeled "A"
- 1 tibia, left, proximal two-thirds shaft, epiphysis not fused, bone appears full-size or close to full-size, labeled "B"
- 1 tibia, left, distal 7/8, missing proximal end, labeled "C"
- 1 tibia, left, virtually complete but broken postmortem, anterior surface of distal 1/4 is missing, labeled "D"
- 1 tibia, right, distal half to two-thirds, labeled "E"
- 1 tibia, right, distal end, labeled "F", similar size to tibia "D"
- 1 tibia, right, distal third, end damaged postmortem, widespread periostitis, active, does not appear to match any left tibiae, labeled "G"
- 1 tibia fragment of proximal epiphysis
- 1 humerus, left, proximal end missing, labeled "A"
- 1 humerus, left, complete, proximal epiphysis unfused, lateral epicondyle damaged postmortem, small septal aperture, labeled "B"
- 1 humerus, left, distal half, moderate septal aperture, labeled "C"
- 1 humerus, left, complete except lateral half of distal end and head missing, labeled "D"
- 1 humerus, shaft fragment from small individual or subadult, labeled "E"
- 1 humerus, right, proximal half shaft, labeled "F"
- 1 humerus, right, complete, labeled "G", possibly pairs with humerus "D"

*Accession 14 Inventory continued*

- 2 fragments humerus head
- 1 humerus, unfused proximal epiphysis, possible mate of humerus "B"
- 1 ulna, left, small individual or subadult, proximal 1/4 only, olecranon process missing, most of articular surface damaged postmortem, labeled "A"
- 1 ulna, left, olecranon process and distal end missing, labeled "B"
- 1 ulna, left, proximal half, part of olecranon process damaged, labeled "C"
- 1 ulna, left, proximal half, labeled "D"
- 1 ulna, left, complete, distal end not fused, labeled "E"
- 1 ulna, right, distal half only, styloid process damaged postmortem, labeled "F"
- 1 radius, right, distal end of shaft broken but recovered, slight lipping on margins of both articular ends, labeled "A"
- 1 radius, left, proximal half only, very slight lipping on margins of articular surface, labeled "B"
- 1 radius, left, distal end damaged laterally, distal epiphysis unfused and missing, proximal epiphysis fused but line visible, labeled "C"
- 1 radius, left, proximal half only, slight porosity of margins of head, labeled "D"
- 1 radius, possibly right, distal half of shaft, subadult
- 4 radius shaft fragments
- 1 navicular, hand, right
- 1 lunate, right
- 1 greater multangular, right
- 3 first metacarpals, one left, two right
- 2 third metacarpals, both right, one large, one small with distal epiphyseal line still visible
- 2 fifth metacarpals, one right, one left with distal epiphyseal line still visible
- 3 metacarpals, distal half
- 13 phalanges, hand
- 1 calcaneus, right
- 4 tali, three right (48 mm, 56 mm, 49 mm), one left damaged but appears to match right of 49 mm maximum length
- 3 navicular, foot, two left, one right
- 2 cuboid, one left, one right, probably pair
- 1 first cuneiform, left
- 1 third cuneiform, left
- 1 first metatarsal, left
- 1 second metatarsal, left
- 1 third metatarsal, left
- 1 fourth metatarsal, left
- 1 fifth metatarsal, left
- 17 phalanges, foot
- 8 miscellaneous long bone fragments

***EFMO Accession 44, Human Skeletal Remains of Unknown Origin—reburied by OSA***

There was no record of the origin of the human remains in Accession 44. The materials were quite fragmentary.

Two vertebrae provided the only indication of the minimum number of individuals represented by these remains. One vertebra, with billowed superior and inferior surfaces of the body, was from an individual considerably younger than 23 years of age. The other, showing evidence of osteoporotic compression fracture, probably was from an elderly individual. The right talus was from a female whose age could not be determined.

*Accession 44 Inventory, Unknown Origin*

70 rib fragments  
11 vertebrae, complete or almost complete, two vertebrae showed billowing of the body,  
one showed osteoporotic collapse  
18 vertebra fragments  
1 temporal bone, right  
3 temporal bone fragments, squamous portions  
1 temporal bone fragment, right zygomatic process  
3 parietal bone fragments  
1 zygoma, right  
1 zygoma fragment, orbital border  
2 sphenoid bone fragments  
1 clavicle, right, slender  
1 clavicle fragment, distal end, right, robust  
3 scapula fragments  
5 innominate bone fragments  
1 sacrum ala fragment, right  
2 humerus head fragments  
1 humerus shaft fragment, distal  
1 ulna fragment, right proximal end  
1 ulna fragment, right distal end  
1 ulna shaft fragment  
2 patellae  
1 femur head and neck, fragmentary  
1 femur condyle, left, lateral  
12 femur and tibia shaft fragments  
5 fibula fragments  
1 talus, right, length 46 mm, female  
1 navicular right  
3 cuboid bones  
10 metacarpals and metatarsals  
15 phalanges, hand  
147 bone fragments, unidentified  
30 fragments of incinerated bone from cranial and postcranial bones

*EFMO Accession 48, 13AM268, Waukon Junction Rockshelter—reburied by OSA*

*[note: site number changed/corrected by OSA from 13AM266 to 13AM268 after the original report was published]*

Human skeletal remains were recovered at various times between 10 July 1958 and 26 October 1963 from the site of the Waukon Junction Rockshelter, 13AM268, about one-fourth mile north of Waukon Junction, Iowa. The rockshelter was partially destroyed during the construction of Highway 364 between Waukon Junction and Harpers Ferry.

This collection of skeletal parts represented the remains of at least eight individuals. It is possible that even more may have been represented, but the paucity of parts with definite indicators of sex and age made it impossible to be more specific. Five mandibles represented five adults, but measurements and morphologic characters were equivocal indicators of sex. The morphologic characteristics of the two calvaria and one calva, with inconspicuous supraorbital ridges and intermediately sharp-blunt superior orbital borders, and gracile muscle attachments suggested females. However, only one mandible had a typically feminine gonial angle. Thus, the five mandibles, the two calvaria, and one calva might have been from five, seven, or eight individuals. Less difficulty was experienced in establishing the identity and age of infants' and children's remains because measurements of long bones served well for those purposes. The remains included those of one fetus or newborn infant, one child around 4 years old, and one child around 5 years old. The left tibia with unfused distal epiphysis might have been from the same skeleton as Mandible C because the progress of attrition on the molars was compatible with the unfused distal epiphysis. The circumference of the tibia was in the range of young adult males, as was the gonial angle of Mandible C. However, the chin of that mandible was quite pointed, a feminine characteristic. If those two bones were not related, then the minimum number of individuals represented by these remains was nine.

The most complete calvarium had been slightly warped postmortem. The individual bones tended to separate because fusion was not far advanced. Glabella was not prominent, and supraorbital ridges were not significant. The superior border of the orbits was blunt. Nuchal lines were gracile. Occipital flattening at lambda was slight to moderate. The forehead was low, and the occiput was moderately high. The individual probably was a female and under 30 years of age at the time of death.

The second calvarium, less distorted and less complete than the first, appeared long and had a distinct sagittal elevation. The forehead was moderately sloped. The occiput was moderately high. The nasal bridge was high. Superior orbital borders were intermediate between sharp and blunt. Glabella was not conspicuous, and supraorbital ridges were absent. Nuchal lines were slight. Cranial vault sutures showed incipient fusion endocranially near lambda. This individual also was probably a female and in her third decade at the time of death.

The incomplete calva showed almost complete closure of coronal and sagittal sutures and considerable thickness of frontal and left parietal bones. Pacchionian depressions were moderately prominent in the more medial portion of the parietal



bone. The cranial vault was very low and relatively flat, suggesting an abrupt change in coronal contour at about the temporal lines. The superior orbital borders were more sharp than blunt. This individual, probably a female, could have been middle-aged or somewhat older at the time of death.

Only one long bone, a right femur, was sufficiently complete to permit reliable estimations of sex and stature. The vertical diameter of its head was 41 mm. The midshaft circumference was 69 mm. These were well within the female range (Pearson and Bell 1919; Black 1978). Stature was estimated by the method of Trotter and Gleser (1952) from a maximum length of 388 mm, calculated to be  $149.94 \pm 3.72$  cm, or  $59.03 \pm 1.46$  inches.

The two maxillae that may have come from the same cranium still retained the left canine and right I1, C, P1, P2, and the distal root of M2. Attrition was severe so that all teeth had lost extensive crown height and pulp chambers were exposed in P1 and P2. M1 had been lost antemortem on the left and right sides. The unrelated left maxilla retained three teeth, I2, C, and P1, and was apparently from a much younger individual.

The mandibles in this collection were arbitrarily labeled A-E for x-raying and analysis.

## Accession 48 Inventory, 13AM268, Waukon Junction Rockshelter

- 2 calvaria, incomplete
- 1 calva, incomplete
- 1 temporal bone, left
- 2 maxillae, left and right, possibly from same skeleton, teeth extremely abraded exposing pulp chamber
- 1 maxilla, left, incomplete, enamel abraded to expose dentin on incisal edges of anterior teeth, Hinton score I2=3, C=3, PI=1
- 4 zygomae, two left, two right
- 1 pars basilaris of occiput, incomplete
- 1 parietal bone, fragment, not a part of the calvaria or calva listed above
- 4 mandibles, complete or almost complete, labeled A, B, C, and D
- 1 mandible, right half, posterior two-thirds, labeled E
- 2 vertebrae, first cervical, fully adult
- 4 vertebrae, cervical, adult
- 2 vertebrae, thoracic, adolescent
- 1 vertebra, lumbar, child
- 2 vertebrae, thoracic, adult
- 1 vertebra, lumbar, incomplete, adult
- 1 sacrum, probable male, young adult
- 2 scapula fragments
- 4 clavicle fragments, distal portions, two from adults, one adolescent and one child
- 58 ribs and rib fragments
- 1 humerus head, adult
- 1 humerus, distal third, right, adult
- 1 humerus shaft fragment, adult
- 2 ulna fragments, proximal thirds, left and right, different skeletons
- 1 ulna fragment, proximal third, right, child
- 2 radii, left, adult
- 1 humerus, right, without epiphyses, 145 mm long (4.5 years)
- 1 radius, left, without epiphyses, 133 mm long (5-6 years)
- 1 capitate
- 10 metacarpals and fragments
- 10 phalanges, hand
- 1 innominate bone, incomplete, right, adult, female
- 1 innominate bone, incomplete, right, adolescent, possible male
- 2 innominate bones, incomplete, left and right, possibly male under 12 years
- 1 femur, right, adult, maximum length 388 mm
- 1 femur, right, proximal end, without epiphyses (ca. 5 years)
- 1 femur, proximal two-thirds, without epiphyses (ca. 4 years)
- 1 femur shaft, right, midshaft circumference 85 mm
- 1 tibia, left, unfused distal epiphysis (possibly 18 years), circumference 95 mm, male
- 3 tibiae, incomplete, one left, two right
- 3 fibula fragments
- 1 talus, left, length 52 mm

*Accession 48, continued*

- 1 talus, right, length 58 mm, male
- 3 calcanea, two right, one left, fragmentary
- 2 metatarsals, first
- 2 metatarsals, second
- 3 phalanges, foot
- 4 bones of fetus or newborn infant: part of ilium with wide greater sciatic notch, an ischium, ulna and humerus
- 4 teeth, loose
- 87 unidentified small bone fragments

### **Accession 49, 13AM47, Spike Hollow Rockshelter—reburied by OSA**

Human skeletal remains were recovered from the Spike Hollow Rockshelter, 13AM47, reportedly during an excavation by Henry Field, Wil Logan, and Dale Henning. No field notes were available. Excavations at the rockshelter had been conducted by Ellison Orr from 1946 to 1949 and by Logan in 1951 and 1952 (Logan 1952). Logan's report does not mention encountering any human burials. Woodland and Oneota artifacts from this site are present in the repository at Effigy Mounds National Monument. It is not known with which cultural occupation these remains were associated. Spike Hollow Rockshelter is also discussed in Charles R. Keyes's notes and was represented in the Keyes Collection located at the State Historical Society, Iowa City. Tandarich (1975) documents that the site number "AM47" was formerly assigned to Flynn Cemetery, Area B, now part of 13AM43. Some skeletal material in the Accession 1 collection was marked "AM47," and it is not known if this material was miscatalogued or if it was misplaced and actually belongs to the Spike Hollow collection or possibly even Flynn. Attempts to match any fragments from this collection to those marked "AM47" in the Accession 1 collection were unsuccessful. The "AM47" material in Accession 1 also does not match in terms of condition of the bone. Accession 1 "AM47" material is a mixture of unburned bone and almost carbonized burned bone. While the material from Spike Hollow Rockshelter is all burned or partially burned, it is white and gray to dark gray in color.

A minimum of five individuals, all adults, were represented in the collection from the Spike Hollow Rockshelter. At least one individual was possibly male, and two individuals were possibly female. The human skeletal material was fragmented and incomplete. All teeth were lost postmortem. A minimum of three individuals were represented based on ulnae, clavicles, scapulae, and the petrous portions of the temporal bones. A minimum of four individuals can be supported based on radii. A minimum of five individuals were represented based on humeri.

All epiphyses were fused where present suggesting adult individuals. Because of the incompleteness and condition of the bones no precise estimate as to age can be made. Very limited indicators of sex were present. One large mastoid process, a frontal bone fragment with moderate supraorbital ridge development and blunt superior margin of the orbit, a large right and left trochlea of humeri, and an incomplete mandible with a somewhat squared chin suggested that at least one of the individuals was male. The bicondylar breadth of two of the humeri, 54 mm and 50 mm, fall in the female range (Krogman 1962:148) suggesting at least two of the individuals were females.

**Accession 49 Inventory, 13AM47, Spike Hollow Rockshelter.**

- 5 occipital fragments
- 1 temporal, squamous fragment
- 1 temporal, mastoid process, medium in size
- 1 temporal, fragment of petrous portion, right
- 2 temporals, right and left, mastoid process (medium), external auditory meatus and petrous portion, probably a pair
- 1 temporal, right, mastoid process (large), external auditory meatus, and petrous portion
- 43 miscellaneous cranial fragments
- 1 frontal bone, incomplete, nasal area and left orbit
- 1 zygoma, right
- 3 maxilla fragments, alveolar ridge, teeth lost postmortem but sockets for posterior teeth right P1-M3 and left P1 and P2 and left M2 and M3, probably same individual
- 2 maxilla fragments, alveolar ridge, teeth lost postmortem but sockets for anterior teeth right I1-P2 and left I1-P2, probably same individual
- 1 mandible, right half plus sockets for left I1 and I2, teeth lost postmortem except M2 lost antemortem, socket resorbed, M3 erupted, condyle missing, chin somewhat squared, gonial angle damaged and ramus incomplete, unable to measure
- 1 mandibular condyle, right
- 1 coronoid process of a mandible, left
- 9 rib fragments
- 5 clavicles, scapular fourth to third, 3 left, two right
- 1 clavicle fragment, middle third
- 6 vertebrae fragments
- 1 scapula, left, fragment spine and acromion process
- 1 scapula, right, fragment, glenoid fossa and coracoid
- 1 scapula, right, fragment, acromion
- 1 scapula, right, fragment, acromion process
- 1 scapula, right, fragment, acromion, could go with process above
- 1 scapula, fragment, acromion process and fragment of acromion, possibly right
- 4 scapula fragments, two axillary border fragments
- 1 ischium, fragment, left
- 1 femur, right, proximal half, incomplete, no measurements possible
- 1 femur, left, neck
- 1 femur, left, posterior portion of proximal fourth shaft, does not match neck above
- 1 femur, shaft fragment
- 1 tibia, proximal 1/4 shaft, right, moderate localized periostitis, healing
- 1 tibia, shaft fragment, widespread periostitis, healing
- 1 patella, right
- 1 humerus, left, distal two-thirds shaft, least circumference 65 mm
- 1 humerus, left, distal third shaft
- 1 humerus, left, distal end, bicondylar breadth 54 mm
- 1 humerus, left, trochlea, large in size, does not match any of the lefts in size
- 1 humerus, left, middle third shaft

1 humerus, right, distal third, bicondylar breadth 50 mm, smaller, does not match any of the lefts in size  
1 humerus, right, distal third  
1 humerus, right, trochlea, large in size  
6 humerus shaft fragments  
1 radius, left, distal two-thirds  
1 radius, right, distal two-thirds, does not pair with left  
1 radius, head  
5 radii, midshaft third to half, cannot side with certainty but does support minimum of 4 individuals with the Land R unpaired radii  
3 ulnae, left, proximal eighth, two with olecranon process missing  
1 ulna, fragment olecranon process  
3 ulna shaft fragments  
1 capitate, right  
1 metacarpal  
2 fragments, metacarpals or metatarsals  
6 phalanges, hand  
2 fragments of head of femur or humerus  
61 miscellaneous long bone fragments  
6 miscellaneous bone fragments  
8.4 g of tiny bone fragments too small to identify

## **EFMO Accession 50, Guttenberg Burial—reburied by OSA**

Human skeletal remains were recovered from a burial at or near Guttenberg, Iowa. No other information on their location or recovery was available. The condition of these bones was fair with considerable postmortem breakage and badly weathered bone surfaces. The inventory of osteological remains indicated the presence of one individual.

All epiphyses were completely fused. Cranial sutures were starting to fuse ectocranially in the coronal/sagittal area and in the lambdoidal suture, and were almost completely fused in the posterior one-half of the sagittal suture. All sutures were fused endocranially except the squamosal sutures. Slight arthritic lipping was present on the thoracic vertebrae and proximal end of the ulna. The teeth were markedly abraded corresponding to Hinton's (1981) code of 6 to 7 with severe loss of crown height. All the above evidence suggested an older adult.

Several indicators of sex were present. The measurements of the femur and gonial angle of the mandible suggested this individual was male. Although not enough of the greater sciatic notch was present to estimate with confidence as to sex, it gave the appearance of being narrow, supporting this assessment. Muscular development and mastoid size were moderate. The maximum length of the femur was estimated to be 454 mm. The stature of this individual was estimated to be  $170.18 \pm 3.80$  cm (Trotter and Gleser 1958).

Radiographs showed that the third molars were congenitally absent. The maxillary right M2 was also absent with the alveolar ridge appearing smooth and normal. No carious lesions were observed in the dentition. It was not possible to code the teeth for enamel hypoplasia due to attrition and postmortem enamel breakage. It was also not possible to get accurate measurements of the teeth due to this postmortem breakage. A large Inca bone was present at lambda with four smaller ossicles along the lambdoidal suture.

## Accession 50 Inventory, Guttenberg Burial

- 1 cranium, almost complete, zygomas missing
- 1 mandible, left third missing
- 1 scapula, left, posterior half glenoid fossa, latero-inferior one- fourth of acromion
- 4 rib fragments
- 2 cervical vertebrae, axis and atlas, both incomplete
- 6 thoracic vertebrae, incomplete, 2 articular facet margins show slight lipping
- 1 vertebra arch fragment
- 1 innominate, fragment of ilium with small portion of auricular surface and greater sciatic notch, fragment of acetabulum
- 1 femur, left, portion of shaft missing
- 1 femur, right, distal end of bone eroded postmortem
- 1 tibia, left, missing distal end, damage to proximal end
- 1 tibia, right, proximal end badly damaged, third to half of cortex missing postmortem from shaft, damage to distal end
- 1 humerus, left, middle third of shaft
- 1 humerus, right, almost complete, head damaged, lateral condyle distal end missing, ca. fourth of cortex missing from shaft, shaft broken postmortem and repaired
- 1 ulna, right, proximal third to half, slight lipping on superior margin of articular surface of semilunar notch
- 2 calcanea, right and left, both damaged postmortem



## EFMO Accession 51, 13WH35, Quandahl Rockshelter—reburied by OSA

Human skeletal remains were recovered from the Quandahl Rockshelter, 13WH35, located immediately west of the village of Quandahl, Iowa. The rockshelter is situated high in a limestone outcropping overlooking North Bear Creek. Previous reports on the Quandahl Rockshelter include Sampson (n.d.), Fisher (1978), and Mallam (1979). Most of the material recovered from this site was from indiscriminate digging. An analysis of the available cultural materials indicates the site was occupied from the Archaic through the Oneota periods with the most intensive occupation during the Late Woodland period (Mallam 1979:31). It is not known with which of these cultural occupations the human remains in this collection were associated.

The skeletal inventory suggested the presence of one subadult and at least one adult. The dental inventory for the **subadult** (15 erupted deciduous teeth and 20 unerupted or partially erupted teeth—deciduous and permanent) includes left and right deciduous maxillary di1 through dm1, left and right partially erupted deciduous maxillary dm2, left and right unerupted permanent maxillary I1 through M1, right deciduous mandibular di1, left and right deciduous mandibular I2 through M1, left and right unerupted deciduous mandibular dm2, and left and right unerupted permanent mandibular I1-M1. The subadult was a small child, 1-2 years of age, based on the length of the diaphyseal shaft of the humerus and the development of the deciduous and permanent dentition. The frontal fontanelle was not closed, and the metopic suture was only half complete, both compatible with the estimated age. When discovered in the rockshelter, this skeleton was covered with rock, apparently from roof fall (Dale Henning, personal communication 1986). The cranium was badly warped postmortem and slightly damaged, but there appeared to have been possible deliberate cranial flattening in the parietal/occipital region. No porotic hyperostosis or cribra orbitalia was observed. No enamel hypoplastic lines were present in the teeth.

The **adult** was represented by limited remains. The epiphyseal rings of the centrum of the vertebra were not completely fused. These epiphyses generally fuse between 17-25 years of age (Bass 1971:78). The distal epiphysis of the radius was fused. This suggests the individual was a young adult, possibly 20-25 years of age. No estimate of sex was possible.

**Accession 51, 13WH35, Quandahl Rockshelter**

*SUBADULT*

- 1 cranium, left temporal and left lateral portion of occiput missing, lateral and basilar portions of occiput unfused, small ossicles in lambdoidal suture
- 1 mandible, symphysis union complete
- 10 fragments of sphenoid and other internal cranial bones
- 1 scapula, right, unfused epiphyses
- 1 clavicle, right, unfused epiphyses
- 2 vertebrae, one half unfused neural arch, cervical, one arch, halves fused but unfused to centrum (could be compatible for same individual)
- 14 ribs, nine left, five right
- 2 humeri, diaphysis, right and left, diaphyseal length 104 mm
- 3 metacarpals, unfused epiphyses

*ADULT*

- 1 cranial fragment
- 1 vertebra, thoracic
- 1 rib fragment
- 1 radius, distal half, right, slight postmortem animal gnawing on shaft
- 1 phalanx, hand
- 1 metatarsal
- 3 small fragments, miscellaneous bone, burned

## **EFMO Accession 70, Marquette Rockshelter—reburied by OSA**

Human skeletal remains were recovered from the Marquette Rockshelter, exact location unknown. Woodland cultural material from this rockshelter is in the Effigy Mounds repository.

Both adults and subadults are represented in this skeletal collection. The presence of a newborn infant was indicated by two humeri, one ulna, and one radius. A small child, 1.5-2.5 years of age, was represented by an ilium, pubis, a distal epiphysis of a humerus, a deciduous second molar, and a deciduous canine. A tibia and a proximal epiphysis of a humerus indicated a child 3-5 years of age. A child 6.0-7.5 years of age was represented by distal and proximal epiphyses of a femur, two distal fragments of the diaphyseal shaft of a humerus, and a loose permanent tooth, a first molar. Two loose permanent teeth, a canine and a premolar, suggested the presence of a child 8-9.5 years of age. A child, 10-12 years of age, was indicated by a single loose tooth, a mandibular second molar.

Four non-paired radii and ulnae indicated the presence of at least four adult individuals. The main evidence suggesting age of these four individuals was the degree of wear of the loose and in situ teeth: those with only moderate wear, those with moderate to severe wear, and those with severe wear and substantial loss of crown height. The teeth with only moderate wear suggested the presence of a younger adult. The teeth with moderate to severe wear indicated a somewhat older, possibly middle-aged individual. The teeth with severe wear and substantial crown loss fell into two categories, those with and those without carious lesions, suggesting the presence of two elderly individuals.

Due to the fragmented nature of the skeletal material, limited indicators of sex were present. Two right greater sciatic notches which were sharp in shape suggested the presence of at least two male adults. The adult mandible was gracile with a pointed chin suggesting it was from a female. No gonial angle measurement was possible.

In summary, the skeletal remains from this accession collection represented six subadults and four adults:

- 1 newborn
- 1 child, 1.5-2.5 years
- 1 child, 3-5 years
- 1 child, 6.0-7.5 years
- 1 child, 8-9.5 years
- 1 child, 10-12 years
- 4 adults, one younger, one middle-aged, two elderly ( at least two males and one female were represented)

## EFMO Accession 70, Marquette Rockshelter

- 10 cranial fragments, three burned, one fragment with suture, unfused
- 2 sphenoid fragments, one with red pigment stain
- 1 frontal fragment, right supraorbital area, subadult
- 1 zygoma, right, subadult
- 1 maxilla, right, inferior half (3 in situ teeth)
- 1 mandible, ramus missing, adult, chin pointed, gracile (3 in situ teeth)
- 1 mandible fragment, right, three empty crypts, infant
- 22 loose teeth, adult (5 molars, 3 premolars, 4 canines, 10 incisors)
- 6 loose teeth, subadult (1 deciduous canine, 1 permanent canine, one permanent premolar, 3 permanent molars)
- 2 ribs, one left, one right (red stain), incomplete, subadult
- 3 rib fragments, subadult
- 2 ribs, first, both right, adult
- 19 ribs, right, incomplete, adult
- 4 ribs, right, complete, adult
- 9 ribs, left, incomplete, adult
- 1 rib, left, complete, adult
- 53 rib fragments, adult
- 7 vertebral arches, fragmentary, unfused
- 1 thoracic vertebra, arch and centrum fused but centrum bilowy and ring not completely fused
- 3 cervical vertebrae, one axis, possible 4th and 6th, possibly from same individual, adult
- 6 thoracic vertebrae, (#7-12) belong to one individual, moderate porosity of body surfaces, moderate to severe lipping on margins of articular surfaces, two have slight ligmenta flava
- 3 lumbar vertebrae, #1-3, match with #12 thoracic of above individual, severe lipping and presence of lesions in body
- 3 thoracic vertebrae, belong to second larger individual, moderate porosity on body surfaces, slight lipping on margins of facets
- 1 thoracic vertebra, body only, widespread lesion on inferior surface (rough active), small, wedge-shaped, possible compression fracture or appearance due to severe damage by lesion
- 4 vertebral arch fragments
- 1 scapula, left, glenoid fossa, coracoid process, partial acromion, and one-fourth of axillary border
- 1 scapula, fragment of body
- 1 scapula, fragment, notch between glenoid cavity and acromion
- 1 clavicle, right, lateral 2/3, scapular end damaged postmortem
- 2 sacrum fragments
- 1 sternum, body only, very light in weight, bowed anteriorly, adult
- 1 sternum, body and manubrium, adult
- 1 sternum, segment of unfused body
- 1 innominate, ilium and pubis, unfused (1.5-2.5 years)
- 2 fragments unfused ischium, from somewhat older subadult

*Accession 70 continued*

- 1 innominate, right, fragment of ilium with greater sciatic notch (sharp), and inferior corner of auricular surface, adult
- 1 innominate, right, incomplete, auricular surface, greater sciatic notch (sharp), acetabulum, posterior 2/3 ischium, adult
- 1 fragment of iliac crest
- 2 femur epiphyses, proximal and distal (6.0-7.5 years)
- 1 femur, left, proximal half, head missing, not complete at midshaft
- 1 tibia, right, proximal 3/4 diaphysis (3-5 years)
- 1 tibia, right, very light in weight, distal end missing, margins of proximal end damaged postmortem, widespread moderate periostitis on shaft, slight postmortem gnawing on distal fourth of shaft
- 1 tibia, left, proximal 1/8-1/4 shaft, damage postmortem, appears normal weight for amount of bone present, does not pair with above
- 1 tibia, left, distal 2/3 shaft and posterior proximal third of shaft
- 1 tibia, right, posterior proximal third shaft, probably pairs with above
- 1 tibia, right, distal end, does not match any of the right tibiae above
- 1 fibula, fragment proximal end
- 2 humeri, left and right diaphyses (R=72 mm), newborn
- 1 humerus, proximal epiphysis (3-5 years)
- 2 humeri, left and right diaphyses, distal 1/8 (6.0-7.5 years)
- 1 humerus, distal epiphysis (1.5-2.5 years)
- 1 humerus, left, complete, head and distal end damaged postmortem max. length 315 mm (est.), max. diameter midshaft 22 mm, minimum diameter midshaft 17 mm, least circumference shaft 61 mm
- 1 humerus, small fragment distal end, burned
- 1 radius, proximal half of diaphysis, newborn
- 1 radius, right, slight porosity on margins of head, slight lipping along margins of distal articular surface, max. length 244 mm, does not pair with any of the left radii
- 1 radius, left, ca. fourth of head damaged postmortem but no lipping observed on remainder, no lipping on distal end, red pigment or stain present on articular surface, max. length 255 mm
- 1 radius, left, small rough depression in center of articular surface of head (3 mm diameter), no lipping, distal end of shaft abnormal with a slight angle laterally, possibly healed break, some bone remodeling in distal third, possibly healed periostitis, bone somewhat light in weight, max. length 206 mm
- 1 radius, left, proximal half, head damaged postmortem
- 1 ulna, possibly left, diaphysis (56 mm), newborn
- 1 ulna, left, distal end missing, posterior portion of olecranon process damaged postmortem, slight lipping proximal articular surface margins, postmortem gnawing on shaft
- 1 ulna, left, olecranon process missing, lateral half of distal end damaged postmortem, slight lipping proximal end margins, physiologic length 241 mm, least circumference shaft 38 mm

*Accession 70 continued*

- 1 ulna, right, very light weight, does not pair with light-weight radius, slight lipping proximal end margins, pronounced muscle or ligament attachment on disto-medial border of shaft, max. length 267 mm, physiological length 238 mm, least circumference 37 mm
- 1 ulna, right, complete, very slight lipping proximal end margins, max. length 270 mm, physiologic length 234 mm, least circumference 36 mm
- 1 ulna, left, distal half only, styloid process damaged, very slight lipping margin distal end, pairs with above right ulna, least circumference 36 mm
- 2 cuboid, left
- 2 first cuneiform, right
- 2 second cuneiform, right
- 2 navicular, foot, left
- 2 first metatarsals, left and right, not a pair
- 2 second metatarsals, left
- 3 third metatarsals, two left and one right
- 4 fourth metatarsals, two left and two right
- 2 second metacarpals, left and right, not a pair
- 3 third metacarpals, right
- 1 fifth metacarpal, left
- 3 naviculars, hand, left
- 1 lunate, right
- 2 greater multangulars, left and right, not a pair
- 1 lesser multangular, left
- 1 capitate, right
- 3 hamates, one left and two right
- 23 phalanges, hand
- 16 phalanges, foot, one with unfused epiphyses
- 10 miscellaneous long bone fragments
- 4 miscellaneous bone fragments

**EFMO Accession 77, Karnopp Mound Group,  
Prairie Du Chien, Wisconsin—returned to Wisconsin**

The human skeletal material from the Karnopp Mound Group, Wisconsin, was very fragmented and in very poor condition. No information was available as to who excavated the material or when.

These limited remains represented a minimum of one individual. The sternal end of the clavicle was unfused with its epiphysis missing. In addition, the fibula, the humerus (distal), radius (proximal), and phalanges (proximal) all had unfused diaphyseal ends. All the metacarpals or metatarsals had the distal ends unfused except for one which was partially fused. The roots on the I1-P2 were completely formed. It was not possible to observe the root development of the molars because only the crowns remained, giving the appearance of still developing dentition. On four of the six molars, though, the blunting of the cusps verifies these teeth had fully erupted and had been in occlusion. The degree of skeletal and dental development is consistent with a juvenile, 12-14 years of age.

No measurements were possible. No estimate of sex could be made. Because of the poor condition of the bone, no pathologic conditions were evident. Two of the molar crowns had dark purple stains. It is not known what caused these or if they occurred antemortem or postmortem.

**EFMO Accession 77, Karnopp Mound Group,  
Prairie du Chien, Wisconsin**

15 loose teeth (4 incisors, 1 canine, 4 premolars, 6 molars)  
1 fragment, possibly clavicle, unfused sternal epiphysis  
16 fragments, vertebrae  
5 fragments, innominate, body of ilium  
45 fragments, ribs (one fragment of a right rib)  
18 long bone fragments  
1 tibia, posterior portion of proximal half shaft, left  
1 tibia, proximal half shaft, possibly right, very poor condition  
1 shaft fragment, possibly femur, very poor condition  
1 fibula, third shaft, unfused epiphysis  
1 humerus, distal half, unfused epiphysis  
1 ulna, proximal third minus olecranon process, probably left  
1 radius, proximal third, left, unfused epiphysis  
1 radius, distal third of shaft, right  
5 phalanges, hand, two complete, unfused proximal epiphyses  
5 metacarpals or metatarsals, unfused epiphyses  
1 metacarpal or metatarsal, distal epiphysis partially fused  
3 distal epiphyses, metacarpals or metatarsals  
60 clumps of dirt with small fragments of bone adhering  
40.1 g. of bone fragments too small to identify



### **EFMO Accession 87, Unknown Origin—reburied by OSA**

No information was available as to where the human skeletal remains assigned to accession number 87 were recovered. The remains were fragmented and incomplete.

The presence of an extra shaft fragment of a radius and two incomplete clavicles of differing sizes indicated that a minimum of two individuals were represented. From the size and complete union of all epiphyses present, both individuals were adults. Only slight osteophyte formation on articular surfaces suggested at least one of these adults was possibly 25-40 years of age.

Limited measurements indicative of sex suggested that at least one female was represented by these remains.

## EFMO Accession 87 Inventory, Unknown Origin

1 cervical vertebra, axis  
1 thoracic vertebra, incomplete  
3 vertebrae, fragments, two spinous processes, one arch  
15 ribs, fragments  
1 scapula, right, incomplete, includes glenoid cavity, coracoid and acromion  
1 sternum, body  
1 clavicle, right, missing sternal articulation  
1 clavicle, left, distal third, does not pair with right clavicle  
1 femur, left, incomplete, shaft only, periostitis present  
1 femur, right, incomplete, shaft only  
1 fibula, right, distal 3/4 shaft  
1 fibula shaft fragment  
1 talus, left  
1 humerus, left, proximal two-thirds  
1 humerus, right, distal 7/8, missing head and neck  
1 ulna, right, proximal half  
1 ulna, left, distal fourth of shaft  
1 radius, left, incomplete, shaft only  
1 radius, right, incomplete, shaft only, slight excess bone on interosseous crest  
1 radius, middle third shaft, same size as above left and right  
5 metacarpals  
7 phalanges, hand  
3 metatarsals  
1 phalanx, foot  
1 phalanx, small distal fragment  
5 miscellaneous bone fragments

**FOR FURTHER INFORMATION CONTACT:** Kaye Armstrong, Office of Tribal Services, 1849 C Street, NW., MS 4631–MIB, Washington, DC 20240–4001; telephone (202) 208–4400.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83–277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transaction in Indian country. The Navajo Nation Liquor Ordinance, which amends the Navajo Nation Code § 412, as authorized by Resolution No. CJY–62–01, was duly adopted by the Navajo Nation Council on July 20, 2001. The Navajo Nation, in furtherance of its economic and social goals, has taken positive steps to regulate retail sales of alcohol and use revenues to combat alcohol abuse and its debilitating effects among individuals and family members within the Navajo Nation.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1.

I certify that by Resolution No. CJY–62–01, the Navajo Nation Liquor Ordinance, amending the Navajo Nation Code § 412, was duly adopted by the Navajo Nation Council on July 20, 2001.

Dated: March 11, 2002.

**Neal A. McCaleb,**

*Assistant Secretary—Indian Affairs.*

The Navajo Nation Liquor Ordinance, amending the Navajo Nation Code § 412, reads as follows:

**Amendment to Navajo Nation Code § 412**

1. The Navajo Nation Council hereby amends 17 N.N.C. § 412 in the following manner:

(c) It shall not be unlawful for any person, Indian or non-Indian, to sell, deliver, transport or consume intoxicating liquor in that part of the Navajo Nation covered by the Antelope Point Resort and Marina Business Site Lease provided that the transportation, sale, delivery and consumption of alcoholic beverages is in conformity with applicable state regulatory liquor law, specifically excluding any state regulatory liquor laws which would require the Navajo Nation and/or its Lessee to be licensed by the State of Arizona, or to be in any way subject to the administrative, executive, judicial or legislative jurisdiction of the State of Arizona, and that all sales of alcoholic beverages be at prices no less than the

prices charged for similar products in adjoining areas of the State of Arizona. The Economic Development Committee of the Navajo Nation Council is hereby authorized to approve such rules and regulations as are necessary and appropriate to ensure the proper transportation, sale, delivery and consumption of alcoholic beverages within the area of the Antelope Point Business Site Lease.

2. The Navajo Nation Council further stipulates that at the end of the term of the Antelope Point Resort and Marina Business Site Lease, and any options granted thereto, this legislation shall be subject to review and reauthorization by the Navajo Nation Council.

[FR Doc. 02–6738 Filed 3–19–02; 8:45 am]

**BILLING CODE 4310–04–P**

**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**CORRECTION—Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA**

**AGENCY:** National Park Service, Interior  
**ACTION:** Correction

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the National Park Service unit that has control or possession of these Native American human remains and associated funerary objects. The Assistant Director, Cultural Resources Stewardship and Partnerships is not responsible for the determinations within this notice.

On March 9, 2001, the National Park Service published a Notice of Inventory Completion in the Federal Register for 15 Native American human remains and 3 associated funerary objects in the possession of Effigy Mounds National Monument. The notice incorrectly listed 12 human remains and 3 associated funerary objects recovered from Mound

#57 as culturally affiliated with the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Winnebago Tribe of Nebraska; Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake); Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota. Based on additional information, the superintendent of Effigy Mounds National Monument determined that the 12 human remains and 3 associated funerary objects recovered from Mound #57 are culturally unidentifiable.

The Notice of Inventory Completion published by Effigy Mounds National Monument on March 9, 2001 (Federal Register Document 01-5944, pages 14201-14203) is corrected as follows:

The third paragraph is deleted.

The first sentence of the ninth paragraph is corrected to read: "Based on the above-mentioned information, the Effigy Mounds National Monument superintendent has determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of three individuals of Native American ancestry."

The second sentence of the ninth paragraph is deleted.

This correction has been sent to officials of the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Sac and Fox Tribe of the Mississippi in Iowa; Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; Winnebago Tribe of Nebraska; Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota.

Repatriation of the three other human remains listed in the March 9, 2001, Notice of Inventory Completion is not affected by this correction.

Dated: September 12, 2001

**John Robbins,**

*Assistant Director, Cultural Resources  
Stewardship and Partnerships.*

[FR Doc. 02-6634 Filed 3-19-01; 8:45 am]

**BILLING CODE 4310-70-S**

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Proposed Collection: Comment Request

**ACTION:** 60-Day Notice of Information Collection Under Review; Visa Waiver Program Carrier Agreement; Form I-775.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until May 20, 2002.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Visa Waiver Program Carrier Agreement.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the*

*collection:* Form I-775. Inspections Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. The agreement between a transportation company and the United States is needed to ensure that the transportation company will remain responsible for the aliens it transports to the United States under the Visa Waiver Program.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 400 responses at 2 hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 800 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202-514-3291, Director, Regulations and Forms Services Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4034, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, 601 D Street, NW., Patrick Henry Building, Suite 1600, Washington, DC 20530.

Dated: March 14, 2002.

**Richard A. Sloan,**

*Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.*

[FR Doc. 02-6717 Filed 3-19-02; 8:45 am]

**BILLING CODE 4410-10-M**

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

[OJP-1402]

#### Meeting of the Public Safety Officer Medal of Valor Review Board

**AGENCY:** Office of Justice Programs, Justice.

**ACTION:** Notice of meeting.

**SUMMARY:** This is the initial meeting of the Public Safety Officer Medal of Valor

Review Board. This Board is charged with recommending recipients of the Public Safety Officer Medal of Valor, the highest national award for valor by a public safety officer. The purpose of this meeting is to conduct preliminary business of the Board.

**DATES:** The meeting will be held on Tuesday, March 26, 2002, at 10 a.m.

**ADDRESSES:** The meeting will be held in the Assistant Attorney General's Conference Room (Room 6403), Office of Justice Programs, 810 7th Street, NW., Washington, DC 20531.

**FOR FURTHER INFORMATION CONTACT:** Tracy A. Henke, Principal Deputy Assistant Attorney General, Office of Justice Programs, 810 7th Street, NW., Washington, DC, 20531; Telephone: 202-307-5933. [This is not a toll-free number.]

**SUPPLEMENTARY INFORMATION:** The Public Safety Officer Medal of Valor Review Board is authorized to carry out its advisory function under 42 U.S.C. section 15202. (42 U.S.C. section 15201 authorizes the President to award the Public Safety Officer Medal of Valor, the highest national award for valor by a public safety officer.)

This meeting will be open to the public.

**Deborah J. Daniels,**

*Assistant Attorney General, Office of Justice Programs.*

[FR Doc. 02-6639 Filed 3-19-02; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF JUSTICE

### Office of Justice Programs

[OJP(OJJDP)-1401]

#### Office of Juvenile Justice and Delinquency Prevention: Meeting of the Coalition of Juvenile Justice

**AGENCY:** Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Justice.

**ACTION:** Notice of meeting.

**SUMMARY:** The Office of Juvenile Justice and Delinquency Prevention is announcing the meeting of the Coalition for Juvenile Justice. The purpose of this meeting is to discuss and adopt recommendations from members regarding the committee's responsibility to advise the OJJDP Administrator, the President, and the Congress about state perspectives on the operation of OJJDP and Federal legislation pertaining to juvenile justice and delinquency prevention.

**DATES:** The meeting dates are:

between the Sovereign Indian Nation of the Sac and Fox Tribe of the Mississippi in Iowa and the Sovereign State of Iowa.

**EFFECTIVE DATE:** December 20, 2004.

**FOR FURTHER INFORMATION CONTACT:**

George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

**SUPPLEMENTARY INFORMATION:** Under section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA) Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. This Compact allows for the extension of the current Compact and clarifies the regulatory scheme.

Dated: December 2, 2004.

**Michael D. Olsen,**

*Acting Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 04-27710 Filed 12-17-04; 8:45 am]

**BILLING CODE 4310-4N-P**

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Indian Gaming**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Approved Tribal-State Class III Gaming Compact.

**SUMMARY:** This notice publishes an approval of the Amendment to the Tribal-State Compact between the Flandreau Santee Sioux Executive Committee and the State of South Dakota.

**EFFECTIVE DATE:** December 20, 2004.

**FOR FURTHER INFORMATION CONTACT:**

George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

**SUPPLEMENTARY INFORMATION:** Under section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA) Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. This Amendment allows for the expansion of the Tribe's simulcast operation to provide for runners.

Dated: December 6, 2004.

**Michael D. Olsen,**

*Acting Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 04-27711 Filed 12-17-04; 8:45 am]

**BILLING CODE 4310-4N-P**

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[OR-030-1020-PG; G 05-0036]

**Teleconference Meeting Notice for the John Day/Snake Resource Advisory Council**

**AGENCY:** Bureau of Land Management (BLM), Vale District, Interior.

**ACTION:** Teleconference meeting notice for the John Day/Snake Resource Advisory Council.

**SUMMARY:** The John Day/Snake Resource Advisory Council (JDSRAC) will conduct a public meeting by teleconference on Wednesday, January 12, 2005, from 7 to 9 p.m. Pacific Time. The meeting is open to the public; however, teleconference lines are limited. Please call or contact Peggy Diegan at the Vale District Office, 100 Oregon Street, Vale, OR 97918, (541) 473-3144, to obtain the dial-in number. During the teleconference, the JDSRAC will come to consensus on comments on the Blue Mountain Forest Plan Revision draft vision document.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information concerning the meeting or who wishes to submit oral or written comments should contact Debbie Lyons at the above address (541) 473-6218 or e-mail [Debra\\_Lyons@or.blm.gov](mailto:Debra_Lyons@or.blm.gov). Comments must be in writing to Debbie Lyons by January 4, 2005. For teleconference call meetings, opportunities for oral comment will be limited to no more than five minutes per speaker and no more than fifteen minutes total.

Dated: December 13, 2004.

**Larry Frazier,**

*Associate District Manager.*

[FR Doc. 04-27699 Filed 12-17-04; 8:45 am]

**BILLING CODE 4310-33-P**

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**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA**

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the U.S. Department of the Interior, National Park Service, Midwest Regional Office determined that the physical remains of 12 individuals of Native American ancestry and three associated funerary objects in Effigy Mounds National Monument's collections, described below in **Information about cultural items**, are culturally unidentifiable. The Native American Graves Protection and Repatriation Review Committee (Review Committee) recommended that Effigy Mounds National Monument, Harpers Ferry, IA, repatriate the human remains and associated funerary objects to the Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; and Sac and Fox Tribe of the Mississippi in Iowa.

The National Park Service publishes this notice on behalf of Effigy Mounds National Monument as part of the National Park Service's administrative responsibilities under NAGPRA. The determinations within 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 NAGPRA Program is not responsible for the determinations within this notice.

Information about NAGPRA is available online at [www.cr.nps.gov/nagpra](http://www.cr.nps.gov/nagpra).

**DATES:** Repatriation of the cultural items to the Indian tribes listed above in **SUMMARY** may proceed after January 19, 2005, if no additional claimants come forward. Representatives of any other Indian tribe that believes itself to be culturally affiliated with the cultural items should contact Effigy Mounds National Monument before January 19, 2005.

**SUPPLEMENTARY INFORMATION:**

**Authority:** 25 U.S.C. 3001 *et seq.*; 43 CFR 10; and 16 U.S.C. 18f-2.

**Contact.** Contact Phyllis Ewing, Superintendent, Effigy Mounds National Monument, 151 Highway 76, Harpers Ferry, IA 52146, telephone (563) 873-3491, e-mail

[Phyllis\\_Ewing@nps.gov](mailto:Phyllis_Ewing@nps.gov), regarding determinations stated in this notice or to claim the cultural items described in this notice.

**Consultation.** Effigy Mounds National Monument identified the cultural items and assessed the cultural affiliation of the cultural items in consultation with representatives of the Ho-Chunk Nation of Wisconsin (formerly the Wisconsin

Winnebago Tribe); Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; Sac and Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.

**Information about cultural items.** In 1952, National Park Service archeologist Paul L. Beaubien removed human remains representing a minimum of 12 individuals from Mound 57 at Effigy Mounds National Monument, Allamakee County, IA, during an authorized National Park Service excavation. At the time of removal, the site was on Federal land.

The cultural material recovered from Mound 57 was identified as Middle Woodland (1700-2200 B.P.). Human remains from Mound 57 were examined in 1952-53 by Alton K. Fisher, then Professor of Dentistry at the University of Iowa. Archival records at Effigy Mounds National Monument indicate Dr. Fisher took the remains to Iowa City for analysis, and in 1953 requested that Mr. Beaubien pick up the remains. No further information is available about the disposition of the human skeletal material following Dr. Fisher's request. Recently, the human remains were returned to Effigy Mounds National Monument. A detailed assessment of the human remains was made by the Burials Program, Iowa Office of the State Archaeologist on behalf of the National Park Service during the summer of 2003. The human remains represent 12 individuals distinguished primarily by dentition and fragmented or incomplete cranial and postcranial remains. Seven adults and five sub-adults are represented. No known individuals were identified. The three associated funerary objects are one copper breast plate, one sandstone drill pivot, and one piece of obsidian.

Officials of the National Park Service determined that a relationship of shared group identity could not reasonably be traced between the human remains and associated funerary objects and any present-day Indian tribe. Pursuant to 25 U.S.C. 3001 (3)(A), the three objects 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.

According to the Review Committee's charter, the Review Committee is

responsible for recommending specific actions for disposition of culturally unidentifiable human remains. In July 2004, Effigy Mounds National Monument requested that the Review Committee recommend repatriation of the 12 culturally unidentifiable human remains and associated funerary objects to the tribes listed above in **SUMMARY** as the aboriginal occupants of the lands encompassing the present-day Effigy Mounds National Monument. Effigy Mounds National Monument is located within the area covered by the Treaty of September 21, 1832 between the Sauk and Fox tribes and the United States (Stat. L. VII 374), and is located within the area covered by the November 23, 1973 final award of the Indian Claims Commission to the Sauk and Fox tribes (4 Ind. Cl. Comm. 367 [1957]). The Review Committee considered the proposal at its September 2004 meeting in Washington, DC, and recommended repatriation of the human remains and associated funerary objects to the three tribes. The National Park Service intends to convey the three associated funerary objects to the Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; and Sac and Fox Tribe of the Mississippi in Iowa pursuant to 16 U.S.C. 18f-2.

A September 21, 2004, letter from the Designated Federal Officer to the superintendent of Effigy Mounds National Monument transmitted the Review Committee's recommendation that the park repatriate the human remains and associated funerary objects to the tribes listed above in Summary contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

**Determinations.** Under 25 U.S.C. 3003, Effigy Mounds National Monument officials determined that the human remains represent the physical remains of 12 individuals of Native American ancestry; and National Park Service officials determined that the human remains and associated funerary objects are culturally unidentifiable.

**Notification.** Effigy Mounds National Monument is responsible for sending copies of this notice to the consulted Indian tribes listed above in **Consultation**.

Dated: December 2, 2004

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. 04-27786 Filed 12-17-04]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### Notice of Inventory Completion: UCLA Fowler Museum of Cultural History, University of California, Los Angeles, Los Angeles, CA

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

Notice is here given in accordance with provisions of 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 UCLA Fowler Museum of Cultural History, University of California, Los Angeles, Los Angeles, CA. The human remains and associated funerary objects were removed from a site in Mono County, CA.

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

A detailed assessment of the human remains was made by the UCLA Fowler Museum of Cultural History professional staff in consultation with representatives of the Battle Mountain Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada; Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California; Bridgeport Paiute Indian Colony of California; Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon; Cedarville Rancheria, California; Confederated Tribes of the Goshute Reservation, Nevada and Utah; Confederated Tribes of the Warm Springs Reservation of Oregon; Death Valley Timbi-Sha Shoshone Band of California; Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada; Elko Band of the Te-Moak Tribe of Western Shoshone Indians of Nevada; Ely Shoshone Tribe of Nevada; Fort Bidwell Indian Community of the Fort Bidwell Reservation of California; Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California; Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon; Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada; Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada; Moapa Band of Paiute Indians of the Moapa

Repatriation of the human remains to Hui Malama I Na Kupuna O Hawai'i Nei, Ka'u Preservation, and Office of Hawaiian Affairs may proceed after that date if no additional claimants come forward.

Department of Homeland Security, United States Coast Guard is responsible for notifying Hui Malama I Na Kupuna O Hawai'i Nei, Ka'u Preservation, and Office of Hawaiian Affairs that this notice has been published.

Dated: June 19, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E8-15899 Filed 7-11-08; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA**

**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 object in the possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA. The human remains and associated funerary objects were removed from Allamakee and Clayton Counties, IA.

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 superintendent, Effigy Mounds National Monument.

A detailed assessment of the human remains and associated funerary object was made by Effigy Mounds National Monument professional staff and Iowa Office of the State Archeologist professional staff in consultation with representatives of the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of

Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.

In the early 1970s, human remains representing a minimum of six individuals were removed from HWY 76 Rockshelter in Clayton County, IA, by National Park Service archeologist Wilfred Logan. No known individuals were identified. No associated funerary objects are present.

The HWY 76 Rockshelter site was described by Logan as a Late Woodland Period site representing a partial village complex of people who used effigy mounds for burial purposes.

In 1951 and 1952, human remains representing a minimum of one individual were removed from Spike Hollow Rockshelter in Allamakee County, IA, by National Park Service archeologist Wilfred Logan. No known individual was identified. No associated funerary objects are present.

Spike Hollow Rockshelter is a multicomponent site that contained both Oneota and Woodland artifacts.

In 1960, human remains representing a minimum of one individual were removed from Marquette-Yellow River Mound Group No. 9 in Clayton County, IA, during restoration work on Mound 66 by monument personnel. No known individual was identified. The one associated funerary object is a finely worked biface with one notch.

The site consists of a bear effigy mound, a bird effigy mound, and a compound mound of seven conjoined conicals and is presumed to be of the Woodland Period based on other cultural material from the site.

On the basis of archeological context, material culture, and geographic location, the mounds at Effigy Mounds National Monument have been identified as belonging to the Late Woodland Period culture (1700-750 B.P.). The Oneota culture (800-300 B.P.), which replaced the Effigy Mounds culture, occupied the area surrounding Effigy Mounds National Monument and is identified as being clearly ancestral to the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; and Winnebago Tribe of Nebraska. Linguistic, oral tradition, temporal and geographic evidence reasonably indicates that the following Sioux Indian tribes possess ancestral ties to the Effigy Mounds National Monument region and the human remains and associated funerary object described above: Lower Sioux Indian Community in the State of Minnesota; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton

Sioux Community of Minnesota; and Upper Sioux Community, Minnesota.

The Treaty of September 21, 1832 (Stat. L. VII, 374) between the Sauk and Fox and the United States, a cession required of the Sauk and Fox as indemnity for the expenses of the Black Hawk War, demonstrates that the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation of Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa are the aboriginal occupants of the lands encompassing the present-day Effigy Mounds National Monument. Based upon an examination of the historical and geographical information, officials of Effigy Mounds National Monument determined that the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation of Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa share a historic and continuing affiliation with Effigy Mounds National Monument lands, but do not possess a cultural affiliation with the human remains and associated funerary object described above.

Officials of Effigy Mounds National Monument have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of eight individuals of Native American ancestry. Officials of Effigy Mounds National Monument 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 Effigy Mounds National Monument 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 Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary object should contact Phyllis Ewing, superintendent, Effigy Mounds National Monument, 151 HWY 76, Harpers Ferry, IA 52146, telephone (563) 873-3491, before August 13, 2008. Repatriation of the

human remains and associated funerary object to the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska may proceed after that date if no additional claimants come forward.

Effigy Mounds National Monument is responsible for notifying the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska that this notice has been published.

Dated: May 30, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E8-15906 Filed 7-11-08; 8:45 am]

BILLING CODE 4312-50-S

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Inventory Completion: Rochester Museum & Science Center, Rochester, NY

**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 Rochester Museum & Science Center, Rochester, NY. The human remains and associated funerary objects were removed from Genesee, Livingston, Monroe, and Ontario Counties, NY.

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 Rochester Museum & Science Center professional staff in consultation with representatives of the Cayuga Nation of New York; Oneida Nation of New York; Oneida Tribe of Wisconsin; Onondaga Nation of New York; Seneca Nation of New York; Seneca-Cayuga Tribe of Oklahoma; Saint Regis Mohawk Tribe, New York (formerly the St. Regis Band of Mohawk Indians of New York); Stockbridge Munsee Community, Wisconsin; Tonawanda Band of Seneca Indians of New York; and Tuscarora Nation of New York.

In 1930, human remains representing a minimum of four individuals were removed from the Alhart Site (Bgn 015), Town of Sweden, Monroe County, NY, during a Rochester Museum & Science Center field expedition. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing a minimum of 10 individuals were removed from the Alhart Site (Bgn 015), Town of Sweden, Monroe County, NY, and donated by Charles Alhart to the museum in 1933. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing a minimum of two individuals were removed from the Alhart Site (Bgn 015), Town of Sweden, Monroe County, NY, and probably donated by Charles Alhart to the museum in 1933. No known individuals were identified. No associated funerary objects are present.

Based on skeletal morphology, these individuals have been identified as Native American. Based on site location and continuities of material culture as represented in other collections from the site, the Alhart Site has been identified as Iroquois (Seneca). Based on material culture and C14 dates, the site is dated to A.D. 1450-1560.

At an unknown date, human remains representing a minimum of two individuals were removed from the Belcher Site (Hne 008), Town of Richmond, Ontario County, NY. No known individuals were identified. No associated funerary objects are present.

In 1912, human remains representing a minimum of one individual were removed from the Belcher Site (Hne 008), Town of Richmond, Ontario County, NY, by Frederick Houghton. In 1942, the human remains were donated to the Rochester Museum & Science

Center by the Buffalo Museum of Science. No known individual was identified. No associated funerary objects are present.

Based on skeletal morphology, these individuals have been identified as Native American. Based on site location and continuities of material culture as represented in other collections from the site, the Belcher Site has been identified as Iroquois (Seneca), dating to A.D. 1540-1560.

In 1973, human remains representing a minimum of nine individuals were removed from the surface of the Brongo Site (Bgn 032), Town of Ogden, Monroe County, NY, by the Rochester Museum & Science Center at the request of the Monroe County Medical Examiner's Office. No known individuals were identified. No associated funerary objects are present.

In 1974, human remains representing a minimum of two individuals were removed from the surface of the Brongo Site (Bgn 032), Town of Ogden, Monroe County, NY, by Mr. Springer and Mr. McCabe and placed in the collection of the Rochester Museum & Science Center. No known individuals were identified. No associated funerary objects are present.

In 1974, human remains representing a minimum of two individuals were removed from the surface of the Brongo Site (Bgn 032), Town of Ogden, Monroe County, NY, by the Monroe County medical examiner and given to the Rochester Museum & Science Center. No known individuals were identified. No associated funerary objects are present.

In 1974, human remains representing a minimum of 10 individuals were removed from the Brongo Site (Bgn 032), Town of Ogden, Monroe County, NY, by the Rochester Museum & Science Center. No known individuals were identified. The nine associated funerary objects are four shell beads, three chert flakes, one possible hammerstone, and one lot of charcoal.

Based on skeletal morphology, these individuals have been identified as Native American. Based on site location and continuities of material culture as represented in other collections, the Brongo Site has been identified as Iroquois (Seneca), dated to A.D. 1450-1550.

At an unknown date, human remains representing a minimum of one individual were removed from the Caledonia Gravel Pit Site (no number), Town of Caledonia, Livingston County, NY, by person(s) unknown. In 1932, the human remains were donated to the Rochester Museum & Science Center by Tim McKay. No known individual was



## DEPARTMENT OF THE INTERIOR

## National Park Service

**CORRECTION—Notice of Intent To Repatriate Cultural Items from Kawaihae, Kohala, Island of Hawaii, HI, in the Possession of the Bernice Pauahi Bishop Museum, Honolulu, HI**

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is hereby given under the Native American Graves Protection and Repatriation Act, 43 CFR 10.10 (a)(3), of the intent to repatriate cultural items in the possession of the Bernice Pauahi Bishop Museum, Honolulu, HI, that meet the definition of "unassociated funerary objects" under Section 2 of the Act.

**This notice corrects a typographic error in paragraph 15 of the notice of Intent to Repatriate published April 5, 2000. Paragraph 15 of the April 5, 2000, notice is corrected by substituting the following paragraph:**

The 20 cultural items include samples of cordage, mat, and bark cloth. In 1985, these cultural items from a lava tube complex in Kawaihae, Kohala, HI were donated to the Bernice Pauahi Bishop Museum by Catherine Summers, who compiled these samples from museum collections.

**This notice also corrects the list of culturally affiliated groups cited in the Notice of Intent to Repatriate published April 5, 2000. The list of culturally affiliated groups is corrected by adding the following groups: the Kekumano 'Ohana, the Keohokalole 'Ohana, the Hawaiian Genealogy Society, Na Papa Kanaka O Pu'ukohola Heiau, the Native Hawaiian Advisory Council, the Pu'uhonua O Waimanalo, the Royal Hawaiian Academy of Traditional Arts, the Nation of Hawai'i, and the Van Horn Diamond 'Ohana. Paragraph 17 of the April 5, 2000, notice is corrected by substituting the following paragraph:**

Based on the above mentioned information, officials of the Bernice Pauahi Bishop Museum have determined that, pursuant to 43 CFR 10.2(d)(2)(ii), these 168 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 a specific burial site of an Native American individual. Officials of the museum also have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between

these items and the Hawai'i Island Burial Council, Hui Malama I Na Kupuna O Hawai'i Nei, the Department of Hawaiian Homelands, and the Office of Hawaiian Affairs, the Kekumano 'Ohana, the Keohokalole Ohana, the Hawaiian Genealogy Society, Na Papa Kanaka O Pu'ukohola Heiau, the Native Hawaiian Advisory Council, the Pu'uhonua O Waimanalo, the Royal Hawaiian Academy of Traditional Arts, the Nation of Hawai'i, and the Van Horn Diamond 'Ohana.

**Finally, this notice corrects the list of organizations to which this notice is sent by deleting Henry A. Auwae and Melvin Kalahiki, Jr., adding the groups listed above, providing new contact information, and providing a new response date. The last paragraph of the April 5, 2000, notice is corrected by substituting the following paragraph:**

This notice has been sent to officials of the Hawai'i Island Burial Council, Hui Malama I Na Kupuna O Hawai'i Nei, the Department of Hawaiian Homelands, the Office of Hawaiian Affairs, the Kekumano 'Ohana, the Keohokalole Society, Na Papa Kanaka O Pu'ukohola Heiau, the Native Hawaiian Advisory Council, the Pu'uhonua O Waimanalo, the Royal Hawaiian Academy of Traditional Arts, the Nation of Hawai'i, and the Van Horn Diamond 'Ohana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and objects should contact Guy Kaulukukui, Assistant NAGPRA Program Manager, Bernice Pauahi Bishop Museum, 1525 Bernice Street, Honolulu, HI 96817, telephone (808) 847-8274, before April 9, 2001. Repatriation of these objects to the Hawai'i Island Burial Council, Hui Malama I Na Kupuna O Hawai'i Nei, the Department of Hawaiian Homelands, the Office of Hawaiian Affairs, the Kekumano 'Ohana, the Keohokalole 'Ohana, the Hawaiian Genealogy Society, Na Papa Kanaka O Pu'ukohola Heiau, the Native Hawaiian Advisory Council, the Pu'uhonua O Waimanalo, the Royal Hawaiian Academy of Traditional Arts, the Nation of Hawai'i, and the Van Horn Diamond 'Ohana may begin after that date if no additional claimants come forward.

Dated: February 23, 2001.

**John Robbins,**

*Assistant Director, Cultural Resources Stewardship and Partnerships.*

[FR Doc. 01-5941 Filed 3-8-01; 8:45 am]

BILLING CODE 4310-70-F

## DEPARTMENT OF THE INTERIOR

## National Park Service

**Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA.**

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA. This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the National Park Service unit that has control or possession of these Native American human remains and associated funerary objects. The Assistant Director, Cultural Resources Stewardship and Partnerships, is not responsible for the determinations within this notice.

A detailed assessment and inventory of the human remains and associated funerary objects was made by National Park Service professional staff in consultation with representatives of the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Sac and Fox Tribe of the Mississippi in Iowa; Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; Winnebago Tribe of Nebraska; and the Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota. A NAGPRA delegate from the Minnesota Indian Affairs Council, a non-Federally recognized Indian group, was present at the consultation meeting sponsored by Effigy Mounds National Monument and was a representative on behalf of the Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake); Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota.

In 1952, human remains representing 12 individuals were recovered during

legally authorized National Park Service sponsored excavations at Mound #57, a site located within Effigy Mounds National Monument boundaries. These 12 sets of human remains are comprised of 8 adults and 4 children. No known individuals were identified. The three associated funerary objects include one copper breastplate, one sandstone drill pivot, and one piece of obsidian. On August 3, 2000, these sets of human remains and associated funerary objects were returned to Effigy Mounds National Monument after having been in the possession of an individual (now deceased) since the 1950s. Based on archeological context, these 12 individuals were identified as Native American.

In 1952, human remains representing one individual were recovered during legally authorized National Park Service-sponsored excavations at Mound #27, a site located within Effigy Mounds National Monument boundaries. This set of human remains is comprised of 12 teeth from a child who was approximately 8 or 9 years old. No known individual was identified. No associated funerary objects are present. On August 3, 2000, this set of human remains was returned to Effigy Mounds National Monument after having been in the possession of an individual (now deceased) since the 1950s. Based on archeological context, this set of human remains was identified as Native American.

In 1957, human remains representing one individual were recovered from a mound on private lands near Effigy Mounds National Monument. This set of human remains is comprised of 94 bone fragments from a bundle burial. These human remains were given to Effigy Mounds National Monument in 1962, and were transferred to the National Park Service's Midwest Archeological Center in 1973. No known individual was identified. No associated funerary objects are present. Based on archeological context, these human remains were identified as Native American.

In 1998, human remains representing one individual were received by and taken into the possession of Effigy Mounds National Monument. These human remains are comprised of a cranium and mandible, which were mailed to the monument by an anonymous individual who claimed to have purchased the skull for an art class and was told it came from the mounds in the area of Effigy Mounds National Monument. No known individual was identified. No associated funerary objects are present. Based on physical attributes of the skull, the Office of the

State Archaeologist in Iowa identified these remains as Native American.

On the basis of archeological context, material culture, and geographic location, the mounds at Effigy Mounds National Monument have been identified as belonging to the Late Woodland Period culture (1700–750 B.P.). The Oneota culture (800–300 B.P.), which replaced the Effigy Mounds culture, occupied the area surrounding Effigy Mounds National Monument and is identified as being clearly ancestral to the Iowa Tribe of Kansas and Nebraska, Iowa Tribe of Oklahoma, Otoe-Missouria Tribe of Oklahoma, Ho-Chunk Nation of Wisconsin, and Winnebago Tribe of Nebraska. Linguistic, oral tradition, temporal and geographic evidence reasonably indicates that the following Sioux Indian tribes possess ancestral ties to the Effigy Mounds National Monument region and the human remains and associated funerary objects described above: Upper Sioux Indian Community of the Upper Sioux Reservation, Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake), Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota, and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation.

The Treaty of September 21, 1832 (Stat. L. VII, 374) between the Sauk and Fox and the United States, a cession required of the Sauk and Fox as indemnity for the expenses of the Black Hawk War, demonstrates that the Sac and Fox Tribe of the Mississippi in Iowa, Sac and Fox Nation of Missouri in Kansas and Nebraska, and Sac and Fox Nation of Oklahoma are the aboriginal occupants of the lands encompassing the present-day Effigy Mounds National Monument. Based upon an examination of the historical and geographical information, the Effigy Mounds National Monument superintendent determined that the Sac and Fox Tribe of the Mississippi in Iowa, Sac and Fox Nation of Missouri in Kansas and Nebraska, and Sac and Fox Nation of Oklahoma share a historic and continuing affiliation with Effigy Mounds National Monument lands, but do not possess a cultural affiliation with the human remains and associated funerary objects described above.

Based on the above-mentioned information, the Effigy Mounds National Monument superintendent has determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 15 individuals of Native American

ancestry. The Effigy Mounds National Monument superintendent also has determined that, pursuant to 43 CFR 10.2 (d)(2), 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, the Effigy Mounds National Monument superintendent determined that, pursuant to 43 CFR 10.2 (e), there is the relationship of shared group identity that can be reasonably traced between these Native American human remains and associated funerary objects and the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Winnebago Tribe of Nebraska; Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake); Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota.

This notice has been sent to officials of the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Sac and Fox Tribe of the Mississippi in Iowa; Sac and Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation, Oklahoma; Winnebago Tribe of Nebraska; Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Phyllis Ewing, Superintendent, Effigy Mounds National Monument, 151 Highway 76, Harpers Ferry, IA 52146–7519, telephone (319) 873–3491, before April 9, 2001. Repatriation of the human remains and associated funerary objects to the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Winnebago Tribe of Nebraska; Upper Sioux Indian

Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake); Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; or Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota will begin after that date if no additional claimants come forward.

Dated: February 14, 2001

**John Robbins,**

*Assistant Director, Cultural Resources Stewardship and Partnerships.*

[FR Doc. 01-5944 Filed 3-8-01; 8:45 am]

BILLING CODE 4310-70-F

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the U.S. Department of Energy, Richland Operations Office, Richland, WA**

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

**ACTION:** Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the U.S. Department of Energy, Richland Operations Office, Richland, WA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of these Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice.

A detailed assessment of the human remains was made by the U.S. Department of Energy, Richland Operations Office professional staff and contract specialists in archeology, ethnography, and human osteology, in consultation with representatives of the Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington; the Confederated Tribes of the Colville Reservation, Washington; the Confederated Tribes of the Umatilla Reservation, Oregon; the Nez Perce

Tribe of Idaho; and the Wanapum Band, a non-Federally recognized Indian group.

In 1968, human remains representing one individual were recovered from site 45-BN-128, Benton County, WA, by Dr. David Rice, Washington State University, Pullman, WA, during an archeological survey. No known individual was identified. The seven associated funerary objects are fragments of dentalium shells, one of which exhibits intricately etched designs.

Site 45-BN-128 is a burial site located on an island about 4 miles downriver from Tacht, a major Native American village. Tacht, located near the East White Bluffs townsite, was occupied until 1943 by members of the Wanapum Band, as well as members of other tribes whose descendants now reside on the Yakama, Umatilla, Colville and Nez Perce reservations. Artifacts observed at the burial site included chipped stone tools, a bone needle, glass trade beads, and shell beads.

Based on skeletal morphology, the archeological context, the condition of the human remains, and the associated funerary objects, these human remains have been identified as Native American dating prior to European contact. Historic documents, ethnographic sources, and oral history indicate that the Wanapum Band, also known as the Priest Rapids Indians, occupied this section of the Columbia River since precontact times. The treaties of 1855 and other historic documents, ethnographic sources, and oral history identify site 45-BN-128 as located on the ceded lands boundary between the Confederated Tribes of the Umatilla Reservation, Oregon, and the Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington, in an area routinely visited by bands associated with both groups. Bands associated with the Nez Perce Tribe of Idaho and the Confederated Tribes of the Colville Reservation, Washington, are also known to have used the area routinely.

In 1974-75, human remains representing one individual were recovered from Taks'sah' (45-BN-157), Benton County, WA, during legally-authorized archeological excavations conducted by the Mid-Columbia Archaeological Society under the direction of Dr. David Rice, University of Idaho, Moscow, ID. The remains were transferred to the U.S. Department of Energy, Richland Operations Office in 1994. No known individual was identified. The eight associated funerary objects are stone flakes.

Taks'sah', also known as Jaeger's Island, was a principle Wanapum sedentary village that was occupied until 1943. Based on skeletal morphology, the archeological context, the condition of the human remains, and the associated funerary objects, these human remains have been identified as Native American dating prior to European contact. Historic documents, ethnographic sources, and oral history indicate that the Wanapum Band occupied this section of the Columbia River since precontact times. The treaties of 1855 and other historic documents, ethnographic sources, and oral history identify site 45-BN-157 as located within the ceded lands of the Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington, in an area routinely visited by bands associated with this tribe. Bands associated with the Confederated Tribes of the Umatilla Reservation, Oregon; the Confederated Tribes of the Colville Reservation, Washington; and the Nez Perce Tribe of Idaho are also known to have used the area routinely.

In 1987, human remains representing one individual were recovered from site 45-BN-163, Benton County, WA, during archeological surface collection by Hanford Cultural Resources Laboratory staff. No known individual was identified. No associated funerary objects are present.

Site 45-BN-163 is a housepit containing materials typically associated with the late precontact settlement of the area, including fire-cracked rock, cobble tools, notched pebble sinkers, corner-notched projectile points, flakes, and shell. These remains were recovered in an area traditionally associated with the Wanapum Band and within the ceded lands of the Confederated Tribes of the Umatilla Reservation, Oregon. Bands associated with the Confederated Tribes and Bands of the Yakama Indian Nation of the Yakama Reservation, Washington; the Nez Perce Tribe of Idaho; and the Confederated Tribes of the Colville Reservation, Washington, are also known to have used this area routinely.

Based on the above-mentioned information, officials of the U.S. Department of Energy, Richland Operations Office have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of three individuals of Native American ancestry. Officials of the U.S. Department of Energy, Richland Operations Office also have determined that, pursuant to 43 CFR 10.2 (d)(2), the 15 objects listed above are reasonably

Wichita and Affiliated Tribes, Oklahoma may proceed after that date if no additional claimants come forward.

The Texas Archeological Research Laboratory is responsible for notifying the Caddo Nation of Oklahoma and Wichita and Affiliated Tribes, Oklahoma that this notice has been published.

Dated: March 31, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E8-11990 Filed 5-28-08; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA**

**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 in the possession of the U.S. Department of the Interior, National Park Service, Effigy Mounds National Monument, Harpers Ferry, IA. The human remains were removed from Allamakee and Clayton Counties, IA.

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 superintendent, Effigy Mounds National Monument.

A detailed assessment of the human remains was made by Effigy Mounds National Monument professional staff and Iowa Office of the State Archeologist professional staff in consultation with representatives of the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.

At an unknown date, human remains representing a minimum of two

individuals were removed from Waukon Junction Rockshelter in Allamakee County, IA, by unknown persons. No further information regarding the site is known. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing a minimum of three individuals were removed from Marquette Rockshelter in Clayton County, IA, by unknown persons. No further information regarding the site is known. No known individuals were identified. No associated funerary objects are present.

Officials of Effigy Mounds National Monument have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of five individuals of Native American ancestry. Officials of Effigy Mounds National Monument also have determined that, pursuant to 25 U.S.C. 3001 (2), a relationship of shared group identity cannot reasonably be traced between the Native American human remains and any present-day Indian tribe.

The Native American Graves Protection and Repatriation Review Committee (Review Committee) is responsible for recommending specific actions for disposition of culturally unidentifiable human remains. In September 2007, Effigy Mounds National Monument requested that the Review Committee recommend disposition of six culturally unidentifiable human remains to the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa as the aboriginal occupants of the lands encompassing the present-day Effigy Mounds National Monument. One individual of the six referenced in the request has since been determined to be part of a repatriated bundle burial. Its inclusion in the request to the Review Committee was an error and it is not included in this notice.

Effigy Mounds National Monument is located within the area covered by the Treaty of September 21, 1832 between the Sauk and Fox tribes and the United States (Stat. L. VII 374), and the national monument is located within the area covered by the November 23, 1973 final award of the Indian Claims Commission to the Sauk and Fox tribes (4 Ind. Cl. Comm. 367 [1957]). The Review Committee considered the proposal at its October 15-16, 2007 meeting and recommended disposition of the human remains to the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac &

Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa.

A November 28, 2007, letter on behalf of the Secretary of the Interior from the Designated Federal Official, transmitted the authorization for the park to effect disposition of the physical remains of the culturally unidentifiable individuals to the three Indian tribes listed above contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Phyllis Ewing, superintendent, Effigy Mounds National Monument, 151 HWY 76, Harpers Ferry, IA 52146, telephone (563) 873-3491, before June 30, 2008. Disposition of the human remains to the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa may proceed after that date if no additional claimants come forward.

Effigy Mounds National Monument is responsible for notifying the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Indians, Oklahoma; Prairie Island Indian Community in the State of Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska that this notice has been published.

Dated: April 18, 2008

**Sherry Hutt,**

*Manager, National NAGPRA Program.*

[FR Doc. E8-11988 Filed 5-28-08; 8:45 am]

**BILLING CODE 4312-50-S**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion: Oregon State University, Department of Anthropology, Corvallis, OR**

**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 in the control of Oregon State



OFFICE OF THE  
STATE ARCHAEOLOGIST

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June 8, 2011

James A. Nepstad, Superintendent  
Effigy Mounds National Monument  
151 Highway 76  
Harpers Ferry IA 52146

Re: *Examination of recently returned “missing” human remains from Effigy Mounds National Monument collections*

Dear Superintendent Nepstad:

In 1986-1987, at the request of Effigy Mounds National Monument (EFMO), the Office of the State Archaeologist Burials Program examined and inventoried human remains that had been pulled from existing EFMO collections. The OSA temporarily took physical possession of the remains for the purpose of completing that project.

Human remains from the following accessions were involved in the 1986-1987 work:

From sites/accessions outside EFMO boundaries: Accession 13 (New Albin Rockshelter), Accession 14 (Elephant Terrace, 13AM59), Accession 44 (from unknown location), Accession 48 (Waukon Jct. Rockshelter, 13AM266—later corrected in OSA site records to 13AM268), Accession 49 (Spike Hollow Rockshelter, 13AM47), Accession 50 (Guttenberg Burial), Accession 51 (Quandahl Rockshelter, 13WH35), Accession 70 (Marquette Rockshelter), Accession 77 (Karnopp Mound Group, Prairie du Chien, Crawford County, Wisconsin), Accession 87 (from unknown location).

From sites/accessions inside EFMO boundaries: Accession 1 (Mound 55, 13AM82), Accession 5 (Sny Magill, Mound 7, 13CT18), Accession 8 (Highway 76 Rockshelter, 13CT231), Accession 16 (either Mound 36 or 37, 13AM190), Accession 53 (Mound 18, 13AM207), Accession 78 (Mound 12, 13AM101), Accession 106 (Mound 33, 13AM190), Accession 107 (Mound 39, 13AM190), Accession 109 (Mound 38, 13AM190), Accession 111 (Mound 41, 13AM190).

The agreement at the time was remains from sites within EFMO boundaries would be returned to EFMO, while remains from sites outside of EFMO boundaries would be reburied in the appropriate state cemetery by OSA. The remains from outside of EFMO boundaries were reburied by OSA, except for Accession 77 (Karnopp Mound Group, Prairie du Chien, Wisconsin). Those remains (Accession 77) were returned to Wisconsin. In 1987, the remains from sites within EFMO boundaries were returned to EFMO (loan form with James David's signature acknowledging the receipt of the remains we were to return to Effigy Mounds, dated May 1, 1987; reference in May 12, 1987 EFMO staff meeting minutes; letter dated February 28, 1990).

At some point between May 1987 and July 1995, these remains went “missing.” Attempts by EMFO and the Midwest Archeological Center in the 1990s and 2000s to relocate them were unsuccessful. This spring (2011) some human remains, believed to be the missing remains, were found in the garage of former superintendent Tom Munson and returned to EFMO. I was asked to examine those remains and compare them to the inventories compiled by OSA in 1986-1987 (OSA *Contract Completion*

*Report 245*). Except for one small hand-written note, there was no documentation present with the materials. Some remains did have accession or site numbers written on the bones themselves. The remains had been placed in two large black plastic bags and a few smaller ziplock bags. One of the black plastic bags had commingled remains from several accessions. Most of the remains are fragmented, and there is evidence of “recent” breakage of some of the remains, most likely occurring due to handling and storage conditions. The remains were removed from the plastic bags, sorted by accession, and placed in specimen trays. Unlabeled, but identifiable, bone elements and fragments were compared to the descriptions in the 1987 inventories and text reports. In addition, I counted the small, miscellaneous unlabeled (and un-assignable) bone fragments. The numbers correspond, for the most part, to the numbers listed in the “miscellaneous” categories in the inventories of the various accessions that I was able to account for. At the conclusion of my examination, the specimen trays containing the remains were placed in a locked cabinet within a secure area of the EFMO repository.

I was able to determine that:

- 1) The remains from Accession 5, Accession 16, Accession 53, Accession 78, Accession 107, and Accession 111 could mostly be accounted for in the returned remains.
- 2) Approximately half of Accession 8 could not be accounted for in the returned material.
- 3) Remains from Accession 1, Accession 106, and Accession 109 are not included in the returned material.
- 4) Included in the returned remains was a facial portion of a cranium labeled “13CT26.” This incomplete cranium had been included with the Accession 8 material in 1986-1987 and is briefly described in the OSA 1987 report.
- 5) Two bones, an innominate labeled “1940” and a badly gnawed long bone shaft labeled “1941,” were also included in the returned remains. A check of the EFMO deaccession records indicate these remains were from Accession 95. My check of the OSA report as well as hand-written notes in our files did not find any reference to either of these catalog numbers.

I am including an accession-by-accession account of my May 19-20, 2011, examination of the recently returned remains.

In 1986-1987, the location of the Highway 76 Rockshelter, 13CT231 (Accession 8) was believed to be within EFMO boundaries (OSA site sheet and EFMO records). Recent research by EFMO staff indicates this rockshelter is located just outside EFMO boundaries. Even though outside park boundaries, OSA defers to EFMO to handle repatriation and reburial of these remains.

Please let me know if you have any questions.

Sincerely,

Shirley J. Schermer  
Director, Burials Program  
319-384-0740  
[shirley-schermer@uiowa.edu](mailto:shirley-schermer@uiowa.edu)

**May 19-20, 2011 Examination of Recently Returned Human Remains Believed to be from the  
Missing Accessions Originally Returned to EFMO by OSA in 1987**

Accession 1 (Mound 55, 13AM82): **The remains from this accession could not be accounted for in the material examined and are not included in the returned material.** The three pages of the 1987 accession inventory indicate a number of fragments were labeled “Md. 55” or “AM47,” but no fragments with this label were found during the 2011 examination. Plus there were no bone elements or fragments that matched the inventory descriptions or were not assigned to other accessions.

Accession 5 (Sny Magill, Mound 7, 13CT18): This accession appears to be accounted for. Five fragments labeled “Md 7 SM” or “SM Md 7” were found mixed in with remains from Accession 53, Mound 18—two cranial fragments, one possible cranial fragment, one fragment of an articular surface (possibly femur), and one long bone fragment. In a separate unlabeled bag (that also seemed to contain Accession 111 bones) were 17 small cranial fragments and 20 small long bone fragments, several tiny fragments, and one cancellous tissue fragment.

Accession 8 (Highway 76 Rockshelter, 13CT231): **Only approximately half of this accession could be accounted for in the returned remains.** The bones are in excellent condition and labeled with catalog numbers. The following catalog numbers were present and are accounted for: 4592, 4593, 4594, 4600, 4633, 4679, 4685, 4686 (2), 4691, 4694, 4696, 4715, 4776, 4788, 4789, 4790, 4791, 4795 (2), 4800, 4801, 4817, 4822, 4859, 4869, 4870, 4878, 4885, 4889, 4920 (2), 4925, 4927, 4939, 4940, 4945 (2), 4946 (2), 4947, 4949 (2), 4950 (8), 4951 (2), 4952 (2), 4953, 4954, 4955 (3), 4956, 4958, 4960, 4963, 4966, 4971, 4972, 4980, 4981 (2), 4998 (2), 5020 (2), 5021, 5025, 5026, 5028, 5032 (4), 5033, 5034, 5038, 5041 (2), 5042, 5047 (4), 5051 (4), 5056, 5072, 5093 (6), 5096, 5097, 5098, 5099, 5103, 5108, 5109, 5111, 5115 (1 of 2), 5116 (1 of 3), 5121, 5122 (1 of 2), 5123, 5124, 5127, 5132 (2), 5147, 5148, 5153 (2), 5156, 5188, 5189 (2), 5190, 5206 (3), 5220 (2), 5225, 5227 (2), 5231, 5233 (2), 5236, 5239 (4 + 1 non-human fragment with that number), 5362 (2), 5394, 5427, 5430, 5434, 5473 (2), 5474, 5475, 5476 (3), 5477, 5478, 5479, 5480 (2), 5481, 5482, 5483, 5484 (3), 5520, 5558, 5586, 5589 (2), 5594 (2), 5636, 5695, 5707.

However, there were several missing catalog numbers when compared to the numbers on the 1986-1987 loan form. And, when compared to the 1987 inventory, teeth, cranial remains, vertebrae, ribs, some long bones, innominate, and pubic bones could not be accounted for. Remains from this EFMO accession were listed on the EFMO 2008 NAGPRA summary. However, the catalog numbers listed on that 2008 summary do not match any of the catalog numbers on the 1986-1987 loan form. **The catalog numbers that could not be accounted for are:** 4606, 4638, 4659, 4692 (5), 4769, 4773, 4775 (2), 4779 (2), 4806, 4820 (5), 4845, 4846, 4847, 4848 (4), 4849, 4861 (2), 4867, 4884, 4924, 4928, 4929, 4930 (3), 4959, 4961, 4962 (2), 4964 (2), 4965, 4970, 5000, 5002, 5012, 5013, 5014, 5016 (2), 5017, 5018, 5019, 5088 (4), 5089, 5090, 5091, 5100, 5101, 5102, 5104, 5105, 5106, 5107, 5112, 5113, 5114, 5115 (1 of 2), 5116 (1 of 3), 5117, 5118, 5119, 5122 (1 of 2), 5179 (2), 5180 (2), 5181, 5187 (2), 5200, 5213, 5219, 5221, 5232, 5341, 5378, 5379, 5393, 5425, 5426, 5428, 5471, 5486, 5494, 5516, 5555 (2), 5582. The loan form also notes “one sack skull fragments.” Some of the unlabeled cranial fragments in the bags of recently returned remains could possibly belong to this accession; but in terms of counts of these fragments and similarities to remains in the other accessions for which I was able to make positive assignments, it is more likely the fragments in the “one sack skull fragments” are not among the returned remains for Accession 8.

Accession 16 (either Mound 36 or 37, 13AM190): The remains from this accession are accounted for. Some bone fragments are labeled and match the numbers on the 1990 EFMO deaccession list. These fragments and unlabeled bones match the descriptions in the 1987 report text inventory.

Accession 53 (Mound 18, 13AM207): This accession is mostly accounted for. A number of the bones/fragments had "Mound 18" written on the bone surface. The bones/fragments were assigned to Mound 18 based on the inventory description. A number of miscellaneous, unlabeled burned cranial fragments from the black plastic bag of commingled remains were assigned to this accession. What could not be accounted for, based on the inventory descriptions, are one mandible fragment (burned, right gonial angle) and three of 4 femur proximal epiphyseal fragments (unburned). It is possible these fragments were fragmented beyond recognition during handling/storage in the intervening years or lost as remains were transferred at some point from their original bags and boxes into the black plastic bags.

Accession 78 (Mound 12, 13AM101): The remains from this accession are mostly accounted for. The still missing, or unaccounted for, fragments include one frontal fragment (lateral portion of left orbit and zygomatic process, unburned), one humerus shaft fragment (partially burned); one patellae (incomplete, burned), one vertebral body fragment (burned), and one very small box of burned earth with very tiny fragmented bone. There was a small plastic bag, unlabeled, that could have been the burned earth with tiny fragments mentioned in the 1987 report. And it is possible that the other unaccounted for fragments could have been badly fragmented or lost post-inventory during the "missing" years due to handling, storage conditions, or transferring from their original bags and boxes.

Accession 106 (Mound 33, 13AM190): **The remains from this accession could not be accounted for in the material examined and are not included in the returned material.** The 1987 report states that most bones from this accession were marked "Md. 33 E R-3." No bones or fragments in the recently returned remains had this label. The remains listed in the three pages of the 1987 inventory for this accession are not present, except for possibly three calcaneus fragments that could not be assigned/were not missing from the other accounted for accessions. The Accession 109 inventory also lists calcanei, so some or all of these calcaneus fragments could belong to that accession.

Accession 107 (Mound 39, 13AM190): The remains from this accession are most likely accounted for. The 1987 inventory listed the remains from this accession as consisting of "20 small fragments of small-sized long bones and three small fragments of cancellous bone." While none of the unlabeled small fragments can be assigned with certainty to this accession, it is likely, based on counts of unlabeled fragments and assignments to other accounted for accessions, that the remains from this accession are present in the recently returned remains.

Accession 109 (Mound 38, 13AM190): **The remains from this accession could not be accounted for in the material examined and are not included in the returned material.** Based on the descriptions in the two pages of the 1987 inventory and the report text, the remains from this accession could not be accounted for in the recently returned remains, except for possibly three calcaneus fragments that could not be assigned/were not missing from the other accounted for accessions. The Accession 107 inventory also lists calcanei, so some or all of these calcaneus fragments could belong to that accession.



Accession 111 (Mound 41, 13AM190): The remains from this accession are accounted for. Four shaft fragments were in a bag with remains labeled "Accession 8." These shafts were not labeled and were in a different state of preservation. These shaft fragments matched the description in the 1987 report of the Accession 111 remains.

A4031 (EFMD)

August 26, 1986

Effigy Mounds National Monument Staff Meeting Minutes

Present: Superintendent Tom Munson (presiding), Rodney Rovang, Tom Sinclair, Joyce Nading and Beverly Siglin.

#### ADMINISTRATION

Next Staff Meeting is scheduled for September 15th.

Donations from the 27th of June to date totaled \$489.63.

The August 20-21st Scoping Conference for the General Management Plan revision was considered productive with positive input from a good representation of other agencies.

Status of funds for 8/21/86 suggests the possibility of funds available for the Regional approved computer procurement, but circumstances may change (i.e. air conditioning is presently malfunctioning) and procurement will be completed by Sept. 16th if the funds are still available. IBM has a GSA contract. A local supplier, Computer Systems, is submitting a written bid for IBM-PCXT or equal.

The Regional video tapes on 10-238's and uniforms were viewed and returned August 22nd.

Several award certificates are available in Administration for recognizing outstanding performances by employees.

A transfer of property to Fish and Wildlife Service, McGregor, was completed for three metal museum cabinets no longer of any use at EFMD.

The assessment of human remains was completed by Mark Lynott (MWAC) and State Archaeologist, Dr. Duane Anderson, during the Scoping Conference. There will be a transfer of all material collected outside of the monument to the State Arch. Office. The transfer of materials will be coordinated by Jim David and John Hunter and is to be completed by the end of September.

Dr. Duane Anderson is resigning as State Archaeologist effective October 1st and will become Director of a the Municipal Museum in Dayton, Ohio.

#### INTERPRETATION AND RESOURCE MANAGEMENT

This is the last week of regular tours. After Labor Day school tours will begin. Seasonal Rangers Jim Langhus and Dennis Runge will be returning to their teaching assignments this week.



# United States Department of the Interior

## NATIONAL PARK SERVICE

MIDWEST REGION  
1709 JACKSON STREET  
OMAHA, NEBRASKA 68102-2571

AREA DISTRIBUTION	
TO	Initial
Superintendent	WA
Park Ranger	JLD
Admin. Tech.	
Clerk-Typist	
Trk. Tech.	B.P.
Maintenanceman	
Laborers	

MAY - 2 1985

MAY 6 1985

IN REPLY REFER TO:

H2215(MWR-MR)

### Memorandum

To: Superintendents, Apostle Islands, Effigy Mounds, Mound City Group, Ozark, Saint Croix, and Voyageurs

From: <sup>Acting</sup> Regional Director, Midwest Region

Subject: Disposition of human remains

Reply due: May 22, 1985 Negative responses are not required.

Enclosed is a White Paper concerning the above subject with a memorandum of request from Assistant Director, Archeology, Bonnie Keel, dated April 12 seeking our review and comment.

In order to meet the WASO deadline, we would appreciate receiving any comments that you may have by May 22 for Regional consolidation and submittal. Negative responses are not required.

If you have any questions regarding this request, please contact Regional Chief, Ranger Activities, Tom Thompson, at (402) 221-3475 or FTS 864-3475.

*Randall S. Boyd*

Enclosures

cc:

Chief, Midwest Archeological Center w/c encs.



# United States Department of the Interior

NATIONAL PARK SERVICE

P.O. BOX 37127

WASHINGTON, D.C. 20013-7127

IN REPLY REFER TO:

**APR 12 1985**

Memorandum

To: Directorate, Field Directorate and WASO Bureau Chiefs

From: Assistant Director, Archeology *Bonnie C. Keel*

Subject: Disposition of Human Remains

Enclosed is a statement on existing Department of the Interior policy concerning the disposition of human remains from archeological sites. The white paper briefly reviews the question of whether the remains should be reburied or curated, gives background on development of existing policy, and abstracts relevant portions of legislation bearing on the issue. We would appreciate receiving any comments on this issue by May 30, 1985.

We are currently developing a "preservation brief" which will provide guidance for land managers to aid in arriving at informed decisions on the ultimate deposition of human remains. The brief will outline the legislation and case law; identify potential religious, cultural, and scientific values inherent in the remains, and suggest a process by which the land manager may reach a decision based on the merits of each case.

Enclosure

## DISPOSITION OF HUMAN REMAINS

### WHITE PAPER

**ISSUE:** What is the appropriate disposition of human remains from archeological sites which have been recovered from Federal lands, through the use of Federal monies, or under Federal sanction?

### DESCRIPTION

In the course of archeological studies human physical remains (bone, and in some cases, mummified or otherwise preserved soft tissue) may be encountered. The question of whether the remains should be reburied or curated in a scientific facility has been raised by religious, cultural and scientific groups who have an expressed or vested interest in the disposition of these remains. Proponents of reinternment, in the extreme, call for unrestricted reburial of all human remains regardless of age or ethnic affiliation. The extreme opposite position calls for the mandatory curation of all human remains.

Recently, concern over the disposition of human remains has increased. A primary goal of most Native American activist groups is the reburial of all Indian remains. Reactions from scientific communities have resulted in the adoption of resolutions against reburial. The American Academy of Forensic Science (Forensic Anthropology Section) and the American Association of Physical Anthropologists passed resolutions decrying "indiscriminate" reburial. Although the Society for American Archaeology had passed a resolution against reburial unless lineal descent could be demonstrated, the resolution was subsequently withdrawn (November 1984).

Several legal mandates bear on the issue of the disposition of human remains including: the American Indian Religious Freedom Act of 1978 (AIRFA), the Archaeological Resources Protection Act of 1979 (ARPA) and its implementing regulations, 43 CFR 7 (applicable portions of the legislation are presented in Appendix I). While AIRFA does not mention human remains directly, it has been used to argue for reinternment on the basis of religious concerns. Section 3.1 of ARPA and Section 3(a) of 43 CFR 7 specifically define graves and human remains which are at least 100 years of age as archeological resources, allow for scientific investigations, and provide for the curation of them in appropriate facilities.

Other antiquities legislation deals less directly with the issue. Human remains from National Register of Historic Place eligible or listed sites would be covered under Section 106 of the National Historic Preservation Act (NHPA) as amended (1980). Just as with ARPA, NHPA (section 101(a)(7)) provides for the long term curation of records and artifacts. The implementing regulations for this act, 36 CFR 60, generally exempt cemeteries and graves of historical figures but allow for their inclusion in the National Register of Historic Places based on age, association with historical events, and potential to yield information important in history and prehistory. The Secretary of the Interior's Standards for Archeology and Historic Preservation (1983) also states that archeological specimens and records should be curated in a suitable repository which provides access to the material for future research. The regulations cite Human Bones and Archeology as a reference for further information.

Although the draft implementing regulation (36 CFR 66) for the Archeological and Historic Preservation Act of 1974 is currently being rewritten, the extant version defines human skeletal remains as scientific material (section 66.1). They also identify that data and material from public lands or collected under Federal sanction remain the property of the Federal government.

## **PRESENT POLICY**

In 1979, a uniform policy dealing specifically with the disposition of human remains was developed by the Heritage Conservation and Recreation Service. This policy was slightly modified and became Department of the Interior policy in March 1982 (it is included in Appendix II). Although initial efforts in formulating the policy preceded passage of ARPA and AIRFA, the requirements of both along with comments from the Bureau of Indian Affairs representing Indian concerns and legal opinions from several solicitors were considered in framing the 1982 departmental policy. The policy pertains to Department of the Interior (DOI) actions on Federal lands and DOI sanctioned projects and relates only to archeologically derived remains. Subsequently, other executive departments have adopted this policy or follow it in principal. Although the initial stimulus to develop departmental policy and guidance came from Indian concerns, the policy and guidance is nondiscriminatory and covers all human remains located as a result of archeological activity. Generally, the Federal government has deferred to State law governing dedicated cemeteries.

The Department of Interior's policy on the disposition of human remains is consonant with AIRFA and applies to remains from public or Indian lands which are located as a result of archeological investigations conducted or authorized by the Department. The major criteria underlying the Departmental policy is that the remains are archeological resources if they are 100 years old and are of archeological interest as stipulated in the ARPA (Sec. 3.(1)) and 43 CFR 7. Consultation with groups who may have an interest in the disposition of the remains is an integral step in the determination process.

The Department's policy and guidance establishes a process for Federal land managers to use in reaching decisions regarding the disposition of human remains. This policy and guidance requires neither unrestricted reburial nor mandatory curation of the remains. It leaves the decision to the land manager for determination based on the merits of each case. The process is consonant with the land manager's ARPA responsibilities and provides for consultation with appropriate religious, cultural and scientific groups with a vested interest in the remains. The land manager must evaluate the potential conflict between religious sentiments and scientific value in reaching the determination of whether reburial or curation is appropriate.

The Departmental Consulting Archeologist is currently preparing additional guidance on the disposition of human remains which will be in the form of a "Preservation Brief." The brief will review the applicable legislation and case law relating to the disposition of human remains, identify the potential religious, cultural, and scientific values, and outline the process by which appropriate interest groups should be contacted. It will serve as guidance to allow the land managing official to determine the disposition of the remains on a case by case basis. Additionally, the Department of the Interior is preparing regulations governing the curation of archeological data and materials which are under Federal jurisdiction. These regulations will be codified as 36 CFR 79.

## APPENDIX I

### RELEVANT PORTIONS OF LEGISLATION BEARING ON THE ISSUE OF THE DISPOSITION OF HUMAN REMAINS

#### NATIONAL HISTORIC PRESERVATION ACT OF 1966 AS AMENDED (PL 89-665)

Sec. 101(a)(7) The Secretary shall promulgate, or revise, regulations-  
(A) ensuring that significant prehistoric and historic artifacts, and associated records, subject to section 110 of this Act, the Act of June 27, 1960 (16 U.S.C. 469c), and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa and following) are deposited in an institution with adequate long term- curatorial capabilities.

**36 CFR 60:** Implementing Regulations for PL 89-665 (Federal Register November 16, 1981)

Section 60.4 of 36 CFR 60 clarifies the status of historical cemeteries and graves with respect to eligibility to the National Register of Historic Places.

#### 60.4 Criteria for Evaluation.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes... shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

#### SECRETARY OF THE INTERIORS STANDARDS AND GUIDELINES FOR ARCHEOLOGY AND HISTORIC PRESERVATION

The Secretary's Standards promulgated under PL 89-665 (Federal Register September 29, 1983) provide clarification regarding curation:

Archeological specimens and records are part of the documentary record of an archeological site. They must be curated for future use in research, interpretation, preservation, and resource management activities. Curation of important archeological specimens and records should be provided for in the development of any archeological program or project.

Archeological specimens and records that should be curated are those that embody the information important to history and prehistory. They include artifacts and their associated documents, photographs, maps, and field notes; materials of an environmental nature such as bones, shells, soil and sediment samples, wood, seeds, pollen, and their associated records; and the products and associated records of laboratory procedures such as thin sections, and sediment fractions that result from the analysis of archeological data.

Satisfactory curation occurs when:

1. Curation facilities have adequate space, facilities, and professional personnel:
2. Archeological specimens are maintained so that their information values are not lost through deterioration, and records are maintained to a professional archival standard:
3. Curated collections are accessible to qualified researchers within a reasonable time of having been requested: and
4. Collections are available for interpretive purposes, subject to reasonable security precautions.

Recommended Sources of Technical Information

Human Bones and Archeology. Douglas H. Ubelaker. Interagency Archeological Services, Heritage Conservation and Recreation Commission. U.S. Department of the Interior, Washington, D.C. 1980 (page 44737).

**36 CFR 66:** Implementing Regulations for PL 93-291 (Federal Register January 28, 1977)

The draft implementing regulations for the Archeological and Historic Preservation Act of 1974, 36 CFR 66, are in the process of being rewritten and should be reissued by the end of 1985. They are referenced here because they have been utilized, albeit in draft form, and have provided guidance since 1977. Section 66.1 of the proposed regulations define skeletal remains as scientific material. Section 66.3 (a) (1 and 2) identify that data and material from Public lands or collected under Federal sanction remain the property of the Federal government and that such material is to be maintained in the public trust.

66.3 Protection of data and materials.

(a) Data recovery programs result in the acquisition of notes, photographs, drawings, plans, computer output, and other data. They also often result in the acquisition of architectural elements, artifacts, soil, bone, modified stones, pollen, charcoal, and other physical materials subject to analysis, interpretation, and in some instances display. Analytical techniques that can be applied to such data and material change and improve through time, and interpretative questions that may be asked using such data and material also change and develop. For these reasons, and to maintain data and material for public enjoyment through museum display, it is important that the data and material resulting from data recovery programs be maintained and cared for in the public trust.

(1) Data and materials recovered from lands under the jurisdiction or control of a Federal agency are the property of the United States Government. They shall be maintained by the Government or on behalf of the Government by qualified institutions through mutual agreement. A qualified institution is one equipped with proper space, facilities, and personnel for the curation, storage, and maintenance of the recovered data and materials. The exact nature of the requisite space, facilities, and personnel will vary depending on the kinds of data and materials recovered, but in general it is necessary for a qualified institution to maintain a laboratory where specimens can be cleaned, labeled, and preserved or restored if necessary; a secure and fireproof archive for the storage of photographs, notes, etc., and a staff capable of caring for the recovered material.

(2) Data recovered from lands not under the control or jurisdiction of a Federal agency, as a condition of a Federal license, permit, or other



entitlement, are recovered on behalf of the people of the United States Government. They should be maintained as provided under /Paragraph/ 66.3(1)(a) above... Material recovered under such circumstances should be maintained in the manner prescribed under /Paragraph/ 66.3(1)(a) insofar as possible

(b) Data and material resulting from a data recovery program should be maintained by a qualified institution or institutions as close as possible to their place of origin and made available for future research.

### **Joint Resolution, American Indian Religious Freedom Act (PL 95-341)**

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

Sec. 2. The President shall direct the various Federal departments, agencies, and other instrumentalities responsible for administering relevant laws to evaluate their policies and procedures in consultation with native traditional religious leaders in order to determine appropriate changes necessary to protect and preserve Native American religious cultural rights and practices. Twelve months after approval of the resolution, the President shall report back to the Congress the results of his evaluation, including any changes which were made in administrative policies and procedures, and any recommendations he may have for legislative action.

There are no implementing regulations for AIRFA

### **Archaeological Resources Protection Act of 1979 (PL 96-95)**

Sec. 2.(b) The purpose of this Act is to secure, for the present and the future benefit of the American people, the protection of archaeological resources and sites which are on public and Indian lands...

Sec. 3.(1) The term "archaeological resource" means any material remains of past human life or activities which are of archeological interest, as determined under uniform regulations promulgated pursuant to this Act. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portions of structures, pit houses, rock paintings, rock carvings, intaglios, **graves, human skeletal materials**, or any portion or piece of any of the foregoing items (emphasis added).

Sec. 4.(a) Any person may apply to the Federal land manager for a permit to excavate or remove any archaeological resource located on public lands or Indian lands and to carry out activities associated with such excavation or removal. The application shall be required, under uniform regulations under this Act, to contain such information as the Federal land manager deems necessary, including information concerning the time, scope, and location and specific purpose of the proposed work.

(b) A permit may be issued pursuant to an application under subsection (a) if the Federal land manager determines, pursuant to uniform regulations under this Act, that

(2) the activity is undertaken for the purpose of furthering archeological knowledge and public interest,

(3) the archaeological resources which are excavated or removed from public lands will remain the property of the United States, and such resources and copies of associated archaeological records and data will be preserved by a suitable university, museum, or other scientific or educational institution...

(c) If a permit issued under this section may result in harm to, or destruction of, any religious or cultural site, as determined by the Federal land manager, before issuing such permit, the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9.

(g)(1) No permit shall be required under this section or under the Act of June 8, 1906 (16 U.S.C. 431), for the excavation or removal by any Indian tribe or member thereof of any archaeological resource located on Indian lands of such Indian tribe, except that in the absence of tribal law regulating the excavation or removal of archaeological resources on Indian lands, an individual tribal member shall be required to obtain a permit under this section.

(2) In case of any permits for the excavation or removal of any archaeological resource located on Indian lands, the permit may be granted only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such terms and conditions as may be requested by such Indian or Indian tribe.

Sec. 5. The Secretary of the Interior may promulgate regulations providing for-

(1) the exchange, where appropriate, between suitable universities, museums, or other scientific or educational institutions, of archaeological resources removed from public lands and Indian lands pursuant to this Act, and

(2) the ultimate disposition of such resources and other resources removed pursuant to the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433).

Any exchange or ultimate disposition under such regulation of archaeological resources excavated or removed from Indian lands shall be subject to the consent of the Indian or Indian tribe which owns or has jurisdiction over such lands. Following promulgation of regulations under this section, notwithstanding any other provision of law, such regulations shall govern the disposition of archeological resources removed from public lands and Indian lands pursuant to this Act.

**43 CFR 7:** Implementing regulations for PL 96-95 (Federal Register February 6, 1984).

The regulations implementing ARPA provide additional information on and clarification of the definition of "archaeological interest."

3(a) "Archaeological Resource" means any material remains of human life or activity which are at least 100 years of age and which are of archaeological interest.

(1) "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation.

(2) "Material remains " means physical evidence of human habitation, occupation, use, or activity, including the site, location, or context in which such evidence is situated.

(3) The following classes of material remains (and illustrative examples), if they are at least 100 years of age, are of archaeological interest and shall be considered archaeological resources ...

(vi) Human remains (including, but not limited to bone, teeth, mummified flesh, burials, cremations).



## APPENDIX II

### United States Department of the Interior

### GUIDELINES FOR THE DISPOSITION OF ARCHEOLOGICAL AND HISTORICAL HUMAN REMAINS

#### BACKGROUND

Archeological investigations frequently encounter various types of interred human remains which are important for their cultural, religious, and scientific values. While a number of bureaus and offices within the Department of the Interior conduct archeological programs, the Department has never developed a consistent approach toward the disposition of archeological and historical human remains. These Guidelines set forth the approach which the Department will pursue in relation to such remains.

Over the past few years the Departmental Consulting Archeologist has received numerous requests from Federal, State and local agencies and professional archeologists for guidance on the appropriate disposition of historical and archeological human remains. In an effort to provide such guidance an interim statement on the disposition of human remains was developed and issued in 1979. In response both to comments on this interim statement and to increasing numbers of requests for further guidance, the Departmental Consulting Archeologist undertook the development of a Departmentwide policy. This policy was developed in consultation with archeologists in other Interior bureaus, the Department's Solicitor's Office, and the National Park Service's Office of Management Policy. These guidelines were approved by Mr. G. Ray Arnett, Assistant Secretary for Fish and Wildlife and Parks, on July 23, 1982.

These guidelines were prepared by Dr. Annetta L. Cheek. For further information, contact the Departmental Consulting Archeologist, National Park Service, Washington, D.C. 20240.

#### GUIDELINES

These Guidelines outline the approach of the Department of the Interior on the disposition of archeological and historical human remains disturbed during archeological investigations conducted or authorized by the Department's bureaus and offices. These guidelines are in addition to and are not meant to replace or supplant any planning procedures established by Federal law or regulations. In order to deal with a variety of legitimate views of living groups toward the exhumation, analysis and disposition of human remains, the Department seeks to establish a consistent approach for its bureaus and offices to follow in determining the proper treatment of such remains. This approach will be applicable when investigations of archeological resources, conducted by or through the Department as an authorized Federal undertaking, will knowingly disturb interments of human remains, when interments are inadvertently disturbed on property owned or managed by the Department, either through natural causes or through human activities, and in any other situation in which the Department must decide on the disposition of disturbed interments of human remains.

While preservation of human remains in situ is generally preferable to removal, preservation in situ is not always feasible. In cases where it is not, it is recognized that proper treatment often involves especially sensitive issues in which scientific, cultural,

and religious values must be considered and reconciled. It is therefore the policy of the Department of the Interior to provide reasonable opportunity for consultation by the responsible bureau or office with groups or individuals interested in the disposition of disturbed human remains. This opportunity should be provided at the earliest feasible time after disturbance or, in the case of planned activity, as soon as it becomes apparent that disturbance of human remains will occur. Each bureau or office shall consider courses of action suggested during consultation as well as any requirements of other entities having legal jurisdiction in particular cases while still fulfilling its responsibilities under historic preservation law and Executive orders.

1. Where the disturbance involves marked or identified interments of human remains, a reasonable effort will be made to identify and locate individuals who can demonstrate direct kinship with those interred individuals. The bureau head or designated representative will consult with such persons who respond in a timely fashion to the notification in the determination of the most appropriate treatment for the interments.
2. Where the disturbance involves interments of human remains known by the bureau to have affinity to specific living groups such as federally recognized Indian tribes or ethnic groups (for example, the Hutterites, Amish, and non-federally recognized Indian groups), a reasonable effort will be made to identify, locate and notify leaders, officials or spokespersons for these groups. In the case of Indian tribes, notice shall be given to the recognized tribal governing body. The bureau head or designated representative will consult with such persons who respond in a timely fashion in the determination of the most appropriate treatment for the interments.
3. Where the disturbance involves interments which the bureau cannot identify with a specific living group, the bureau will make a reasonable effort to notify groups who may be expected to have an interest in the disposition of the remains based on a professional determination of generalized cultural affinity. If such groups identify themselves as having such an interest, they will be provided a reasonable opportunity to consult with the bureau head or designated representative in regard to appropriate treatment of the interment. If any group claims an affinity with the remains, the responsibility for documenting and validating that claim rests with the group.
4. Any bureau or office of the Department charged with the care or custody of human remains will maintain the collection in keeping with the dignity and respect to be accorded all human remains. Costs accruing as a result of consultation, treatment or curation of human remains are to be borne by the bureau, office or Federal agency responsible for the disinterment.
5. The bureau head may request the Departmental Consulting Archeologist or a designated representative to conduct the consultations required by the policy or to provide advice or assistance in related matters.
6. As used above, the interpretation of "reasonable" and "timely" will consider the cultural or scientific value of the human remains and the cost to the government of locating interested parties and providing consultation opportunities.

Effigy Mounds National Monument  
McGregor, Iowa 52157

May 13, 1985

H2215 (MR)

Memorandum

To: Regional Director, Midwest Region  
From: Acting Superintendent, Effigy Mounds NM  
Subject: Disposition of human remains

We have reviewed the White Paper concerning the above subject, Department of the Interior Guidelines and the Relevant Portions of Legislation. We are in general agreement with the intent of the existing policy however the question of how to treat undocumented human remains in existing collections received scant attention. Without documentation those remains do not meet professional curatorial standards and, obviously, cannot be identified with any particular group. Why this situation exists we do not know but we would opine that it is fairly widespread. The problems of the past will be difficult, if not impossible, to correct in the absence of a managerial fiat.

For future excavations, we agree with the present policy to preserve human remains in situ if possible. If not possible, then follow the steps outlined in the Guideline. Our only comment concerns the language used to describe when human remains can be regarded as archeological resources. The White Paper summarizes this as: "...remains are archeological resources if they are 100 years old and are of archeological interest as stipulated in the ARPA (Sec. 3.(1)) and 43 CFR 7." We would prefer to have an either/or statement to prevent a situation where an archeologically significant resource does not meet the age requirement. We also think the "100 years old" requirement may need clarification unless the intent is to continually move the cut-off date year-by-year.

James S. David

Tom Thompson  
Operations  
MWR

Bob.

## Comments on Disposition of Human remains guidelines

As currently outlined, the guidelines have little bearing on our collections. Most of the human remains in the collection were gathered with little or no documentation. At present, the remains do not meet professional curatorial standards and without additional documentation and labor resources, they can not be brought up to standards. Because of this lack of documentation and because the individual mounds can not be attributed to specific Indian tribes, the matter of tribal contact and comment may be a problem.

While the problems of the past will be difficult to correct, the value of the guidelines for Effigy mounds is for the future. The guidelines are more concerned with the proper documentation and storage of remains than on any scientific value they may have. Any excavations conducted here in the future should be designed to provide the proper documentation necessary to make human remains useful. Curatorial services might have to be provided by outside sources.

Concerning the question of reburial for the human remains presently in the collection, the guidelines are of little value. They provide no direction for remains with little or no documentation. It seems to be a matter left to the discussion of each park superintendent

Bob.



Maria D. Pearson • Indian Consultant



Box 98, Marne, Iowa 51552 • (712) 781-2284

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	M
<input checked="" type="checkbox"/> Lieut. Ranger	JSC
<input type="checkbox"/> ADP/TECH	
<input type="checkbox"/> DIST	
<input type="checkbox"/> RES. DIST	
<input type="checkbox"/> M. ADVICE	
<input type="checkbox"/> LOGS	
<input type="checkbox"/> DIST. LOGS	

August 8, 1986

AUG 11 1986

Mr. Thomas A. Munson, Superintendent  
Effigy Mounds National Monument  
Box K  
MacGregor, Iowa 52157

Dear Mr. Munson:

My Indian contacts have informed me that you have human skeletal remains in your collections at Effigy Mounds National Monument.

I asked Duane Anderson, State Archaeologist, to inquire into the matter and he has informed me that he had discussed the concerns of the Indian people with James David of your staff and with Robert Nichol at the Midwest Archeological Center in Lincoln, Nebraska.

Mr. Anderson further informed me that a formal letter from me was needed in order to move forward with discussions as to the future disposition of the skeletal remains. This being the case I am writing on behalf of the Indian Advisory Committee to request that the remains be reburied with the aid of an Indian Spiritual leader at the earliest possible time.

Reburial in original mound locations is recommended when possible. If materials are present for which there is no provenience, or for which sites have either been destroyed or are not protected, reburial can be arranged in one of our state cemeteries.

Thank you for your consideration; I will look forward to hearing from you.

Sincerely,

Maria Pearson  
Chair, Iowa Indian  
Advisory Committee

cc: Duane Anderson

Maria D. Pearson • Indian Consultant

Box 98, Marne, Iowa 51552 • (712) 781-2284



SEP 17 1986

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	M
<input checked="" type="checkbox"/> Chief Ranger	JSD
<input type="checkbox"/> Admin. Tech.	
<input type="checkbox"/> Clerical	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Maintenance	
<input type="checkbox"/> Landscapers	
<input type="checkbox"/> Park Rtrs.	

September 12, 1986

Mr. Thomas Munson  
Superintendent  
Effigy Mounds National Monument  
Box K  
McGregor, Iowa 52157

Dear Mr. Munson

Thank you very much for your letter of September 5, 1986 regarding the human skeletal material in the collections at Effigy Mounds National Monument. The Indian community will be most pleased to learn of the positive developments.

We will look forward to the time when all of the remains can be released for reburial. I can't tell you how much the Indians appreciate the exemplary behavior exhibited by you and your staff toward our concerns.

Please keep me appraised of your progress.

Sincerely,

*Maria D. Pearson*

Maria D. Pearson

KAREN, VOID THIS MEMO PLEASE; FEED IT TO THE BIRDS

April 23, 1996

Memorandum

To: Superintendent Effigy Mounds National Monument  
From: Anthropologist, Great Plains Systems Support Office  
Subject: PX 6115-6-0166 - "A Skeletal Analysis," which was conducted during September 1986

As you know, we have been exchanging correspondence about EFMO collections that may be relevant to the NAGPRA Inventory. I think it would be useful to review these communications and see what questions are still unanswered.

During early February, 1996, Jeff Richner of the Midwest Archeological Center (MWAC) informed me about a study which was conducted in 1986, "The Analysis of Human Skeletal Remains from the Museum Collection at Effigy Mounds National Monument, (n.d.)" by Alton K. Fisher and Shirley J. Schermer of the Office of the State Archaeologist, University of Iowa, Iowa City. Richner inquired about the disposition of these numerous analyzed human skeletal elements from various park and non-park mound proveniences. In a cc:Mail memo to the Superintendent, Richner stated: "At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report." In follow-up, conversations have transpired and information has been shared.

2/8/96 - Superintendent Karen Gustin sends a memorandum of conversations she has had with both Shirley Schermer and Tom Munson regarding the disposition of the above-mentioned human remains. She writes, "Twenty different accessions were analyzed, some retrieved from within the park, and some retrieved outside of the park. All at one time were part of EFMO's collection." According to Schermer, the remains retrieved from outside of the park were reinterred in a state cemetery and the remains retrieved from within the park were analyzed, then returned to EFMO, and were subsequently transferred MWAC, Lincoln, NE to be stored.

Gustin also stated, "...Tom Munson, the previous superintendent...said that the park was working with Mark Lynott and Bob Nickel, who wanted to keep the remains in EFMO's collection. Tom's position as superintendent, was that he did not want any human remains under the park's jurisdiction. Tom said that Adrian Anderson at the Office of State Archaeology (OSA) was the person...the park was dealing with. Tom

said that everything was given back to the OSA for reinterment, or was sent to MWAC. Tom also mentioned that some items were kept by the OSA under a special use permit. I did not confirm this with Shirley."

- 2/9/96 In response, I contacted Jan Dial-Jones of MWAC to inquire of the possibility of these remains being at MWAC. Dial-Jones responded to Gustin stating, "Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC." Gustin reported she would review park records for information relating to the disposition of these human remains.
- 2/20/96 I contacted Gustin to inquire how their search was coming along and to inquire if there was anything MWAC could do. Gustin stated she had been out of the office and had not yet made much progress but that I could contact Shirley Schermer myself. I responded by stating, "Thanks, but I'll let you handle this when you return. If you need help just give us a call."
- 2/23/96 Gustin transmits a facsimile listing items deaccessioned from the park which were analysed in 1986 by Fisher and Schermer (n.d.). She located this list of deaccessions in the park accession book. The following accessions were deaccessioned from the park on 10/07/86: 70, 13, 72, 87, 49, 48, and 2, as well as uncataloged portions of accession numbers 14, 44, 48, 50, 51, and 77. It should be noted that the catalog numbers on the list are in broken sequences, suggesting that only **portions** of these collections were deaccessioned.
- 3/14/96 Gustin transmits a facsimile of a letter dated 3/8/96 that she received from Shirley Schermer, now the Director of the Burials Program, the University of Iowa. It states that the remains analyzed were returned to EFMO circa May 1, 1987. She goes on to say, "I looked through a number of files but could not find correspondence that the remains we returned to EFMO were transferred to Lincoln. I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the NPS did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln."
- 3/14/96 Gustin transmits a facsimile of her response to the above letter from Schermer. She states, "I enjoyed meeting you last week. Thank you for providing me with copies of the correspondence you had on file concerning the human remains from EFMO in 1986 and 1987. Could

you send me a list of the accession numbers for the remains that were collected outside the park and buried in the state cemetery? I am trying to make the accession numbers you have correspond to the accession numbers we have in our files for remains collected inside and outside the park."

3/25/96

Gustin transmits a cc:Mail message that she has received more information from OSA regarding accessioned items collected from within and outside the park, and their disposition.

Items from within the park which were returned to EFMO by OSA on 5/1/87 include: Accession numbers 1, 5, 16, 53, 78, 106, 107, 109, 111. Accession 8 was returned on 2/28/90.

Items collected from outside the park and reburied by OSA in an eastern IA cemetery include: Accession numbers 13, 14, 48, 49, 50, 70 and 87.

Accessions 44 and 51 were not reburied but OSA is to receive additional material from EFMO to add to reburial.

Accession 77, the Karnopp Mound Group came from site 47CR5 in Wisconsin, transferred to State Historical Society in Wisconsin in 1987 for reburial in Wisconsin.

Gustin adds, "After comparing the above notes, which came from Schermer, with EFMO's deaccession records, my findings are:

1. Accession 72 and 2 were collected outside the park and deaccessioned from the park collection, but they do not appear on OSA's list of items collected from outside the park.
2. Accession 95 and 132 are items collected outside the park and deaccessioned according to park files, but OSA does not have them noted on any of their lists as coming from either inside or outside the park.
3. Accession 110 items were collected within the park and deaccessioned by the park, but they are not on OSA's list as items that were ever returned to the park.

Gustin concluded stating, "This should account for all the accession numbers on OSA's list and our deaccession records. As we talked on the phone, we are unsure of the location of the items collected from within the park and deaccessioned from our collection in July 1990. Let me know if we need to do anything else."

4/23/96

Watson notes the following: All twenty accessions listed in the Fisher/Schermer (n.d.) report were apparently deaccessioned by EFMO prior to November 16, 1990, and thus were not required to be reported under NAGPRA. (However, if any of these items are still housed at the park or if portions of either catalogued or uncatalogued accessions are left at the park which may fall under NAGPRA definitions for human remains or associated and/or unassociated funerary objects, then these items are required to be reported under NAGPRA).

Of the twenty accessions listed in the Fisher/Schermer (n.d.) report, ten are accounted for. Accessions 13, 44, 48, 49, 50, 70, and 87 were from locations outside of EFMO, deaccessioned and reburied. Accessions 14 and 51 were from locations outside of EFMO, were deaccessioned and have not yet been reburied. Apparently these two accessions, or portions thereof, will appear on the University of Iowa NAGPRA Inventory. Accession 77 was from a location outside the park, and was deaccessioned in 1987 for reburial in Wisconsin.

The final ten accessions in the report (1, 5, 8, 16, 53, 78, 106, 107, 109, and 111) were all from sites within EFMO. These accessions were analyzed by Fisher/Schermer (n.d.) and returned to the park on 5/1/87 and 2/28/90. These accessions, or uncatalogued and/or catalogued portions of these accessions, were apparently deaccessioned from EFMO on 7/16/90. However, there is no evidence as to the disposition or whereabouts of these deaccessioned materials. EFMO is unsure of the location or disposition of them.

The following questions remain unanswered as of 4/23/96:

1. As noted above, ten of the accessions collected from sites within EFMO were analyzed by Fisher/Schermer (n.d.) and subsequently returned to EFMO on 5/1/87 and 2/28/90. Apparently EFMO subsequently deaccessioned these accessions, or uncatalogued and/or catalogued portions of these in-park collections on 7/16/90. Where are these deaccessioned materials?

2. While it appears that EFMO deaccessioned uncatalogued (and possibly catalogued) portions of accessions 13, 14, 44, 48, 49, 50, 51, 70, 77 and 87 (accessions collected outside EFMO), what specific items does EFMO still have as catalogued portions of these ten accessions, if any? The catalog numbers on

the lists from the park are in broken sequences. Might this suggest that only **portions** of these collections were deaccessioned? If so, are there potential additional human remains or funerary objects in the park collections under these accession numbers?

3. While it appears that EFMO deaccessioned catalogued and uncatalogued **portions** of accessions 1, 5, 8, 16, 53, 78, 106, 107, 109, and 111 (accessions collected within EFMO), what specific items does EFMO still have as catalogued portions of these ten accessions, if any? Are there potential additional human remains or funerary objects?

4. While accessions 72 and 2 were collected outside the park and deaccessioned, and do not appear on OSA's list of items collected outside the park, they were not part of the twenty accessions analyzed in the report in question. The only question would be, "Where are these deaccessioned materials, and is it possible that EFMO has additional human remains and/or associated or unassociated funerary objects in collections under these two accessions?" The same for accessions 95, 110, and 132, three more accessions which appear as having been either partially or wholly deaccessioned from EFMO collections, but which are not part of the twenty accessions analyzed in the Fisher/Schermer (n.d.) report. Where are these deaccessioned materials?

5. Finally, while the above questions may seem troublesome, it is important to know how strong the possibility is that human remains, and/or either associated or unassociated funerary objects remain in EFMO collections under these accessions in question. These are questions that can only be answered by the park.

Thank you for keeping us informed of the situation and for forwarding the correspondence. By the way, what is the progress with the hopeful "Curatorial Assistance Team Proposal?" If there is anything further we can do to assist you in this matter please contact me at telephone 402-437-5392 (ext. 141) or by cc:Mail.

References Cited:

Fisher, Alton K. and Shirley J. Schermer  
n.d. *The Analysis of Human Skeletal Remains from the Museum Collection at the Effigy Mounds National Monument*. Copies on file at EFMO, Harpers Ferry, IA, and at MWAC, Lincoln, NE.

cc:

Mr. Andy Ketterson, Team Manager, Stewardship and Partnership,  
Great Plains Systems Support Office

Mr. Martin Sterkel, Team Manager, Stewardship and Partnership,  
Great Lakes Systems Support Office

Manager, MWAC

Thomas D. Thiessen, Archeologist, MWAC

Jan Dial-Jones, Archeologist, MWAC

Carolyn Wallingford, Curator, Great Plains Systems Support Office  
(MWAC)

Dr. Abby-Sue Fisher, Curator, Great Lakes Systems Support Office  
(MISS)

Dr. Michael J. Evans, Anthropologist, Great Plains Systems  
Support Office (MISS)





# United States Department of the Interior

## NATIONAL PARK SERVICE

MIDWEST REGION  
1709 JACKSON STREET

OMAHA, NEBRASKA 68102-2571

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	MM
<input checked="" type="checkbox"/> Chief Ranger	JSD
<input type="checkbox"/> Assoc. Tech	
<input type="checkbox"/> Cler. Typist	
<input checked="" type="checkbox"/> Res. Mgr.	ER
<input type="checkbox"/> Maintenance	
<input type="checkbox"/> Ladders	
<input type="checkbox"/> Park Rors	

IN REPLY REFER TO:

A60(MWR-MI)  
xH2015

DEC 29 1986

### Memorandum

To: Regional Director, Midwest Region

Through: Associate Regional Director, Operations

From: Staff Curator/Acting Chief, Division of Interpretation

Subject: Visit to Agate Fossil Beds of staffer for National Congress of American Indians

DEC 31 1986

On Friday, December 19, I received a telephone call from Chief Curator Ann Hitchcock in WASO. Ms. Hitchcock was calling to let me know that Agate Fossil Beds may be visited by a Ms. Karen Funk who is a lobbyist for the National Congress of American Indians. Ms. Funk visited the Chief Curator in order to learn which parks have well cataloged collections of Native American ethnological and archeological materials. She wanted to visit one or more parks that have all or at least most of their Native American collections properly cataloged. Ms. Funk is trying to determine the practicality of creating a national inventory of Federally held and Federally funded Native American collections. The inventory could be used by Native American groups to determine which institutions have sacred materials and human remains in case Indians want to press for their repatriation. Ms. Hitchcock suggested to Ms. Funk that she look at the Cook Collection at AGFO because it is completely cataloged.

From what I understand, at the present time Ms. Funk is merely gathering data. Her organization is a co-sponsor of legislation, which will be reintroduced in the 100th Congress, that would require Federally owned and Federally funded collections of Native American materials to be inventoried and the inventories turned over to the Library of Congress. One purpose of the legislation is to more easily enable Native Americans to locate sacred materials and human remains in publicly held collections for purposes of possibly requesting their repatriation or reburial. When a Native American group believes that such materials are not being treated appropriately or when they find materials that they hold sacred, the group might request their repatriation or reburial. I have not seen the legislation, so I do not know what it has to say about enforcement of Native American requests.

I told Ms. Hitchcock that there are no human remains in the AGFO collection and that there are likely to be few, if any, materials in it that are

held to be traditionally sacred by Native Americans who have worked with the collection. I also reminded her that the collection is kept at Scotts Bluff and pointed out that Museum Technician Audrey Barnhart is on extended sick leave and would not be available in the park to assist Ms. Funk until sometime in February. Ms. Hitchcock indicated that she would call Ms. Funk and inform her of those facts because she had indicated that she might call at the park sometime over the next week or so while in Nebraska on vacation.

We also discussed the possibility of Ms. Funk's visiting Mound City since that collection also is fully cataloged and does contain human remains. While her visiting MOCI cannot be ruled out, it seems less likely because there are no Native Americans who claim descent from the Hopewellian culture represented by the collections at MOCI and who, therefore, would be in a legal position to request repatriation of collections as contemplated by the proposed legislation.

I called Scotts Bluff and told Chief Ranger Russ Osborne of Ms. Funk's possible visit. He indicated willingness to welcome her, even if Ms. Barnhart is not available. He seemed to think that the proposed legislation would have no affect on the AGFO collections. I agree with him to a point. If the sponsors of the cited legislation define "sacred objects" in the same way that we and the staffs of most museums have defined them in recent years, we should have no problem if the proposed legislation is passed. However, the National Congress of American Indians recently voiced approval of legislation that would prohibit anyone but Indians from making objects of Catlinite, that would prohibit the sale of Catlinite and objects made from it at Pipestone National Monument, and that would prohibit the sale anywhere of pipes made of Catlinite. That same legislation would declare the Catlinite pipe to be sacred and implies that Catlinite should be used only for the making of pipes. Should that legislation pass, it could set a precedent for a much broader definition of the term "sacred object". Under a broader definition, many units of the National Park System, including several in this Region, would be affected. It is conceivable that PIPE would be requested to give up most of its museum collection.

I will inform you of any further developments and will try to get copies of both pieces of legislation from the Chief Curator.



cc:

WASO-424, Chief Curator  
Superintendent, Scotts Bluff  
Superintendent, Mound City  
Superintendent, Pipestone  
Superintendent, Effigy Mounds  
Chief, Midwest Archeological Center  
MWRO--Chief, Cultural Resources

H2017

August 12, 1986

Maria Pearson, Chair  
Iowa Indian Advisory Committee  
Box 98  
Marne, Iowa 51552


Dear Ms. Pearson:

In reply to your recent letter concerning human skeletal remains in the archeological collections at Effigy Mounds National Monument, it appears to me that we will be able to work toward complying with your request and recommendations. We have been trying for some time now to collect documents, notes, records, etc., to establish the provenience and history of human remains and have made good progress.

Next week we are meeting with Dr. Mark Lynott of the Midwest Archeological Center to look at the material and to provide guidance. We have invited the State Archeologist Duane Anderson, or his representative, to attend. The other office involved will be the Midwest Regional Office (MWRO) of the National Park Service, in Omaha.

We will keep you informed of our progress. If you have further questions, please do not hesitate to contact me or Chief Ranger James David. If you find yourself in our area, feel free to come by for a visit with us.

Sincerely,



Thomas A. Munson  
Superintendent

cc: MWRO

*John Hunter*  
*Operations*

H2017

September 5, 1986

Maria Pearson, Chair  
Iowa Indian Advisory Committee  
Box 98  
Marne, Iowa 51552

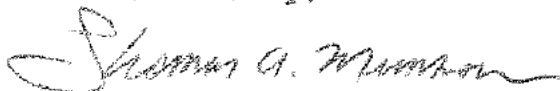
Dear Ms. Pearson:

We recently met with State Archeologist Duane Anderson and Mark Lynott of the National Park Service's Midwest Archeological Center. Following that meeting and several conversations, we are now ready to transfer all skeletal material, tentatively identified as human, to Dr. Anderson's office. There the material will be classified as to its human or non-human origin. This may take some time because much of it consists of small fragments.

Once the classification study has been completed all human material that originated outside the boundaries of the Monument will be ready to be returned to the Native American community for reburial. We believe that this will account for about 75% of the total. The State Archeologist's Office will work with you on this.

The remainder of the material, that which originated within the Monument's boundaries, will be returned to this office. We will work with you then toward locating its ultimate repository.

Sincerely,



Thomas A. Munson  
Superintendent

cc: State Archeologist  
Lynott, MWAC  
Hunter, MWRO

A4031 (EFMO)

September 22, 1986

Effigy Mounds National Monument Staff Meeting Minutes

Present: Superintendent Tom Munson (presiding), Jim David, Rodney Rovang, Joyce Nading and Beverly Siglin.

ADMINISTRATION

The Staff Meeting scheduled for September 15th was postponed until today because of annual leave and absences for training purposes.

Beverly Siglin received Midwest Regional Orientation Sept. 9, 10, and 11 in Omaha. A trip report was submitted to the files, which was the three day agenda developed by the Training Officer, Flo Six.

Rodney Rovang attended the Prairie Management Workshop in Lincoln, Nebraska (Sept. 15-18) and also visited Gary Willson, Ben Holmes and other regional people concerning the Fire Mgmt. Plan. A trip report for the files is submitted with the travel voucher.

Donations from the 27th of June to date totaled \$657.70.

Bev Siglin has been assigned the responsibility for a new donation box sign and has requested input on size, shape, etc. Maintenance Laborer David McIlrath will locate a section of wood for mounting a metal plate with the appropriate wording.

The North Country Trail audiovisual will be requested from the Regional Office, Public Affairs. EO films were also discussed for future requests.

A former seasonal employee, Paul Smith, visited Sept. 18th. A granddaughter of Ellison Orr visited on Sept. 20th.

Saturday evening, Sept. 20th, the monument experienced a 3 1/2 hour power outage from high winds and rain.

A meeting to discuss collateral duties is scheduled for the morning of Sept. 23rd.

The organizational chart was reviewed for any other changes before the final typing is completed and submitted to the Regional office.

A list of colleges and universities with cooperative education agreements was discussed. There was inquiry among staff of any future prospects for beginning a program at the monument.

A request has been submitted to the main Post Office by the Harpers Ferry, Iowa Post Office to extend the rural route to include the monument. The approval could be received within a week, but rural delivery to the monument would probably not begin earlier than October 25 (beginning of P.O. pay period), if the request is approved.

The 1987 Summer Seasonal application packets are now available and Jim David will prepare a news release concerning the applications and the January 15 postmark deadline.

### INTERPRETATION AND RESOURCE MANAGEMENT

September 24th, Shirley Schirmer, State Arch. Office, will pick up the human remains material collected inside and outside of the monument for study. The material collected inside the monument will be returned. There will be a transfer of all material originating outside of the monument to the State Arch. Office.

The second annual "Hawk Watch" will be conducted October 18 and 19 in cooperation with the Iowa Dept. of Natural Resources. Spotting scopes will be set up in the Visitor Center area and at Fire Point and 4-6 IDNR employees will be presenting 30-45 minute programs three or four times each day.

September 20 and 21st a traveling exhibit was displayed at the Riverboat Days festivities in Prairie du Chien, Lawler Park. The exhibit was produced in cooperation with the Corps of Engineers. The theme for the weekend was "Celebrating Our Liberties." Attendance was estimated at 7,000.

The LaCrosse Police Dept. reported the confiscation of a wooden NPS arrowhead sign (origin unknown) from a college dormitory room. The sign will be picked up later this week.

Jim David reported the South boundary corner post at Sny Magill has been badly damaged by the railroad weed cutting operations. A claim will be submitted to the Soo Line for replacing the corner boundary post.

September 2nd Dave McIlrath and Rod Rovang collected "duck potato" specimens. This is the final requirement for museum specimens requested by Harpers Ferry Center.

The Fire Management Plan rough draft has been reviewed by Tom Munson, Ben Holmes and Gary Willson. A revised and final copy will be completed in two weeks.

Eastern National Parks and Monuments Association end of year for budget is October 31. An ENP&MA audit was conducted on site Sept. 12th by personnel from the Philadelphia office.

## Timeline of EFMO Human Remains Issue

1950's through 1970's - EFMO archeologists and researchers collect human remains excavated from archeological sites, including burial mounds, with the park. In keeping with the traditions of the day, all artifacts and human remains were kept in the park's museum collection. Also during this time, the park accepted archeological materials, including human remains, from archeological sites located in the surrounding region outside the park.

December 9, 1985 - EFMO Scope of Collections Statement is approved by the Regional Director. This document contains the scope of collections checklist used by the regional office to evaluate new statements, and the comments (presumably from the regional office) attached to this checklist include the following two statements:

- "It is suggested that the Statement include requirements for the eventual deaccessioning of those objects that are replaced by ones of better quality." This is followed with a hand-written notation that says "Historical only – or natural – not archeological"
- "...your statement cannot indicate that archeological materials will be deaccessioned." This statement was underlined by hand.

August 8, 1986

Maria Pearson of the Iowa Indian Advisory Committee writes to Tom Munson informing him she has learned that human remains are in the EFMO collection and advises him that they should be reburied, preferably in the mounds they came from.

August 12, 1986

Superintendent Tom Munson responds to Maria Pearson's August 8, 1986 letter, telling her it appears he'll be able to work with her to comply with her request and recommendations. He informs her of a meeting he has planned with MWAC (Mark Lynott) and OSA staff (Duane Anderson), and promises to keep her updated.

September 5, 1986

Superintendent Munson again responds to Maria Pearson's August 8, 1986 letter. Munson informs Pearson that after conferring with the State Archaeologist, the park is prepared to transfer all human remains to the Office of the State Archaeologist for examination and confirmation that they are human in origin. He also informs Pearson that all human remains originating outside the park will be "returned to the Native American community for reburial." He ends by saying the material from inside the park will be returned to the park, and "...we will work with you then toward locating its ultimate repository."

September 24, 1986

The staff meeting notes for October 6, 1986 indicate that on September 24, Shirley Schermer from the Office of the State Archeologist "...picked up the human remains material collected inside and outside of the monument for study." The notes also mention that the material collected from inside the monument will be returned in April or May, and the material from outside the park will be re-interred with assistance from the Iowa Indian Advisory Committee.

October 7, 1986

Park staff issue a loan form for the human remains that Schermer picked up in late September. Schermer acknowledges receipt with a signature dated November 13, 1986.

April 7, 1987

MWAC Director Cal Calabrese accepts the Schermer and Fisher report on the human remains from the EFMO collection, and informs Schermer that payment will be made as soon as she "...returns the specified collections to Effigy Mounds National Monument."

May 1, 1987

Staff meeting notes for the meeting of May 12, 1987 indicate that the park has received all of the human remains sent to the Office of the State Archaeologist [in all likelihood, just those collected inside the park – the rest were reinterred by the state], with the exception of 8 cranial fragments that Schermer wanted to study further. Another loan form was filled out by park staff, signed by both Munson and Schermer on May 1, 1987, extending the loan of those 8 fragments until September 1, 1987. In November 1989, this loan was further extended to February 28, 1990. The 8 fragments were returned to the park by Schermer on February 28, 1990.

February 21, 1989

Superintendent Munson saves a couple of magazine articles to park files. One is a Harpers article titled "Skeletons in Our Museum's Closets" and the other is an article from The Nation titled "Indians Gaining on the U.S. in Battle Over Ancestral Bones."

April 27, 1989

Superintendent Munson receives a memo from the WASO Curatorial Services Division containing a report from a curatorial workshop participant, Anne Jordan, who had been assigned to write about issues involving EFMO's "sensitive Native American materials." Although this report states that no decisions have been made, it is clear that at this time the current thinking in the park is to rebury the remains collected inside the park (Jordan refers to 4 cabinet drawers full of remains) in a manner that would allow them to be re-exhumed if there was a need for further study. The report also outlines the legislation (Antiquities Act and ARPA) mandating that these materials be held by a public institution.

July 13, 1990

Superintendent Tom Munson moves out of park housing by this date and signs a vacancy inspection form. Staff meeting minutes indicate that the McIlrath's moved into his former housing unit (Quarters #2) on July 29, 1990, and housing inspection forms verify this.

July 16, 1990

Superintendent Tom Munson signs a Report of Survey form. In the Board of Survey findings section, it is stated "Miscellaneous material that does not fit the Scope of Collection Statement for artifact/museum storage at Effigy Mounds NM. Deaccession from collection." Attached is a listing of all the catalog numbers for the human remains collection inside the park. In the Accountable Officer Recommended disposition section, the box for "Abandon" is clearly marked. There is a handwritten notation at the top of the original form that says "Keep SG 11-17-97" The 11-17-1997 date is extremely significant in that it is the date Dale Henning visited



the park to research the “Accession History and Status...” report that exhaustively detailed the search for these remains (see the title page of his report). The Report of Survey is NOT in his paper, and as absolutely critical as this document is to what he was researching, it is very difficult to explain why he didn’t include it or discuss it – unless he never saw it. Also, the date on the attached deaccessioned catalog number list (7/16/90) is different than the date that appears on all other versions of this list that I have seen (7/30/90 – see copy in Henning’s report for an example).

EFMO Staff in July 1990

Tom Munson	Superintendent
(b) (6), (b) (7)(C)	Chief of Maintenance
(b) (6), (b) (7)(C)	Maintenance Worker
(b) (6), (b) (7)(C)	Tractor Operator
(b) (6), (b) (7)(C)	Laborer
(b) (6), (b) (7)(C)	Laborer
(b) (6), (b) (7)(C)	Laborer
(b) (6), (b) (7)(C)	Laborer
(b) (6), (b) (7)(C)	Youth Worker
Friday Wiles	Administrative Technician
(b) (6), (b) (7)(C)	Clerk-Typist
(b) (6), (b) (7)(C)	Chief of Interpretation and Resource Management
Rodney Rovang	Resource Management Specialist
(b) (6), (b) (7)(C)	Park Ranger
(b) (6), (b) (7)(C)	Park Ranger
(b) (6), (b) (7)(C)	Park Ranger
(b) (6), (b) (7)(C)	Park Ranger
(b) (6), (b) (7)(C)	Park Ranger
(b) (6), (b) (7)(C)	Park Ranger
Bob Palmer	Park Ranger (left for Virgin Islands in either June or July)

November 7, 1990

Superintendent Tom Munson approved the annual museum inventory for the park. The inventory – a random sample inventory – contained several items, including human remains, that had been listed in the Report of Survey above. All of these items are listed as “object not found,” and there is a notation in the remarks field for all of them that says “Deaccessioned 30 July 1990.” This appears to become standard practice for inventories in subsequent years.

March 21, 1991

The FY1990 Collections Management Report was approved by Superintendent Tom Munson. Objects cataloged under archeology = 8175 (compared to 8503 reported in FY1989 report). Objects deaccessioned reported as 0. None of the Collections Management Reports for 1985 through 1991 report any deaccessions. So it appears the park did not directly notify MWR about the removal of the human remains from the collection or the park – although they did indirectly via the annual museum inventories (see November 7, 1990 entry).

April 6, 1992

Someone attaches a hand-written note to a draft Museum Collections Plan (drafted by a contractor in October 1987) stating that as of April 6, 1992, the park is operating under that draft plan. Pages 17-19 of the document contain multiple references to a plan to photograph and inventory the human remains in the collection, and then rebury them in a recorded location. The human remains are also identified as not falling "...within the Scope of Collection as approved in 1985, or the proposed changes in this document." Instructions for deaccessioning items are included on page 24. Page 28 contains yet another reference to the plan to rebury the human remains, and states that they should be catalogued if that plan changes.

March 9, 1993

The regional director approves the park's updated Scope of Collections Statement, signed by Superintendent Munson on January 3, 1992. This version contains no obvious references to human remains in the collection. Page 4 contains this statement: "All archeological materials removed from within park boundaries through systemic investigation are NPS property and must be retained in the park's museum collection per 43 CFR Part 7 and NPS-28."

January 3, 1994

A phone message slip written by Friday Wiles and addressed to "(b) (6), (b) (7)(C) /Tom M" documents a call received from Anna Funmaker of the Wisconsin Winnebago tribe. The message states "Would like to know what's in our collection (list of items). May come down & see – will call before she does. Asked about bones. Explained there were none in collection."

February 17, 1994

(b) (6), (b) (7)(C) formally documented a phone call from Anna Funmaker in the Ho-Chunk Historic Preservation Office. Apparently Ms. Funmaker "...indicated that they [the Ho-Chunk] are interested in the land and mounds themselves rather than the artifacts."

February 18, 1994

Tom Thiessen from MWAC wrote to Superintendent Munson – apparently in reply to an inquiry from Munson about the previous day's phone conversation (see February 17 entry above). Thiessen ends the memo with "Keep in mind that NAGPRA makes no mention of the repatriation of land."

March 9, 1994

Tom Thiessen from MWAC wrote a memo to Superintendent Munson outlining Indian Claims Commission decisions showing the Winnebago had no claim to land in the area. Towards the end he states "My reading of NAGPRA does not suggest to me that land is repatriable under the terms of the Act..."

April 4, 1994

The park receives the official memo from the Regional Director calling for the inventory of human remains and associated funerary objects in all Midwest Region parks.

April 30, 1994

Superintendent Tom Munson retires from the National Park Service.

July 20, 1994

Acting Regional Ethnographer Tom Thiessen documented a phone call from Acting Superintendent Friday Wiles in which Friday told him of an upcoming visit of some Wisconsin Winnebago tribal members, including one who had earlier suggested the tribe might “claim EFMO” under NAGPRA. Tom told Friday that the language of NAGPRA did not allow that.

October 1994

Superintendent Karen Gustin EOD’s at EFMO.

May 15, 1995

As part of a larger National Park Service reorganization, the Midwest Regional Office (MWRO) ceases to exist. The ten regions of the NPS are reduced to seven “Field Areas.” MWRO staff are either assigned to the parks, or absorbed into what were known as the Midwest Field Office, the Great Lakes System Support Office, or the Great Plains System Support Office. The reorganization plan increased park autonomy in many areas, and resulted in reduced oversight of many park programs. This reorganization proved to be short-lived (see January 1, 1997 entry).

July 28, 1995

Superintendent Karen Gustin wrote a memo to the Chief, Midwest Archeological Center stating “This memo is to inform you that we have searched our museum collection and have found no other human remains or associated funerary objects. The only items from Effigy Mounds are the bundle burial and incomplete set of human remains currently housed at MWAC.”

November 16, 1995

Service-wide deadline for completing NAGPRA inventories.

January 29, 1996

Jeff Richner (MWAC archeologist) emailed Superintendent Karen Gustin (with a cc: to Mark Lynott (MWAC archeologist), Vergil Noble (MWAC archeologist), and Michelle Watson (MWAC Senior Cultural Anthropologist)). After discussing a list of purchase orders he had created, Jeff wrote “Please note my question at the end of the file regarding the disposition of numerous human skeletal remains from various park mound proveniences...I assume that there is documentation at the park for some form of transfer of “ownership” of the skeletal remains, since they were not listed in the park’s NAGPRA report.” On a hard copy of this email sent to the park by Jeff Richner, there are some handwritten notations (presumably written by Jeff) in the right margin. One notation reads “Where is the material? 1- The park? 2- Or did the park rid itself of it before NAGPRA?” The other reads “Repat/memo says non-park collection would be repatriated. Maybe they were reburied.”

February (?) 1996

On what appears to be a copy of Richner’s list of purchase orders (referenced in email above), is a handwritten note from Superintendent Gustin that includes this phrase “Authority to deaccession.”

February (?) 1996

A handwritten page of notes from Superintendent Gustin contains the remark “(b)(6), (b)(7)(C) thinks the remains were deaccessioned and given to the Univ of IA.”

February 5, 1996

Michelle Watson (now Senior Cultural Anthropologist for the Great Plains System Support Office) sends Superintendent Gustin a copy of the 1987 Fisher-Schermer report prepared following the remains being loaned to OSA.

February 6, 1996

Michelle Watson emailed Superintendent Karen Gustin. The message contains this statement: “So, with regards to your question of ‘Where are the remains?’, they should be in collections.”

February 7, 1996

Gustin receives the Fisher-Schermer report from Michelle Watson.

February 8, 1996

Handwritten note from Superintendent Karen Gustin documenting a conversation with Tom Munson has this notation: “MWAC wanted some, kept some, didn’t keep others.” Another notation states “Bob Nickel, Mark Lynott – Did not want to return remains. Wanted to keep our collection.” These notes are attached to the cover page of the Fisher-Schermer report received from Watson (referenced above).

February 8, 1996

Superintendent Karen Gustin prepared a typed Memorandum of Conversation detailing her conversations with Shirley Schermer and Tom Munson. Among other things, the memo states that Shirley believed the missing remains had been transferred to Lincoln. Tom Munson is quoted as saying that he did not want any remains under the park’s jurisdiction and that the park had been working with Bob Nickel and Mark Lynott, who wanted to keep the remains in the EFMO collection. Tom further said everything was given back to OSA to be reinterred, or sent to MWAC.

February 8, 1996

Superintendent Karen Gustin emailed Michelle Watson, Tom Thiessen, and Jan Dial-Jones a written account of her conversations with Shirley Schermer and Tom Munson in regards to the missing remains, including, apparently, the Memorandum of Call discussed above. Under a printout of this email, Superintendent Gustin manually wrote “2/9/96 – According to Michelle, anything deaccessioned before NAGPRA was enacted does not require follow-up.”

February 9, 1996

Jan Dial-Jones emailed Karen Gustin (with cc: to Mike Evans, Michelle Watson, Jeff Richer, Vergil Noble, and Mark Lynott). The message states “Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?”

February 9, 1996

Superintendent Karen Gustin responded to Dial-Jones stating “Yes – I think everything was returned to OSA and all of it is probably reinterred in one of their state cemeteries.”

February 20, 1996

Michelle Watson emails Superintendent Gustin asking if there was any news relative to the remains in the Fisher-Schermer report.

February 23, 1996

Superintendent Gustin faxes Michelle Watson a copy of the catalog numbers that were “deaccessioned” in 1986.

February or March 1996

Superintendent Gustin faxes Michelle Watson a copy of the July 1990 Report of Survey used to “deaccession” the remains.

Between February 22, 1996 and March 6, 1996

In the March 6, 1996 staff meeting minutes, Chief Ranger Mardi Butt-Arce reports having a discussion with Abby Sue Fisher and Carolyn Wallingford about having a “Curatorial Strike Team” visit the park.

March 8, 1996

Shirley Schermer of the Office of the State Archaeologist responds to a presumed inquiry into the missing human remains at EFMO. Shirley states that she could find no correspondence documenting that the remains had been sent to Lincoln. She goes on to say “I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the National Park Service did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln.”

March 12, 1996

Superintendent Karen Gustin writes to Shirley Schermer asking for accession numbers of items that were reinterred by OSA.

March 14, 1996

Superintendent Gustin faxes Michelle Watson her recent correspondence from and to Shirley Schermer.

March 20, 1996

Shirley Schermer provides Superintendent Gustin with the information requested in her March 12, 1996 letter.

March 25, 1996

Superintendent Karen Gustin faxes and emails the information received from Schermer to Michelle Watson. Towards the end of the message Gustin states “As we talked on the phone, we are unsure of the location of the items collected from within the park and deaccessioned from our collection in July 1990. Let me know if we need to do anything else.”

Early April through early June 1996

Superintendent Karen Gustin is out of the park on (b) (6), (b) (7)(C) leave.

April 23, 1996

Michelle Watson distributes a memo to Karen Gustin – with copies to Andy Ketterson, Marty Sterkel, Mark Lynott, Tom Thiessen, Jan Dial-Jones, Carolyn Wallingford, Abby-Sue Fisher, and Mike Evans – summarizing the communications that have taken place and the conclusions that have been reached relative to the missing remains issue. The park’s copy of this memo has a typed header that reads “KAREN, VOID THIS MEMO PLEASE; FEED IT TO THE BIRDS.” The memo clearly documents that the remains are missing, and repeats Watson’s assertion that since they were “deaccessioned” prior to the passage of NAGPRA, the NPS was not required to report them. There is no discussion of whether the remains had been “deaccessioned” appropriately, although towards the end Watson asks Gustin about a proposed “Curatorial Assistance Team.”

May 7, 1996

Jeff Richner (MWAC) emailed Mike Evans and Karen Gustin about a conversation with Joel White from Luther College in which White described discovering human remains from an EFMO excavation in Luther College’s collection. The remains were from an excavation led by Dale Henning at Sny Magill. Richner states towards the end of the email “Further, they are not part of the ‘deaccessioned’ EFMO collections that have been the subject of recent discussions.”

May 9, 1996

Mike Evans responds to Richner and Gustin, outlining how to deal with the remains that had been discovered in the Luther College collection.

September 18, 1996

The park receives a trip report, dated September 13, 1996, from Carolyn Wallingford documenting the August 20-23 visit of a “curatorial strike team” that was assembled at the request of the park “...to assist with several museum collections related projects...” Numerous tasks were accomplished, but at the end of the report is this statement: “The park also requested assistance to resolve some questions related to a previous deaccessioning procedure. Due to time restraints to complete the inventory, I was unable to pursue these questions during my site visit. However, when I return to the park in mid-November to conduct a site visit for a collection management plan I will follow up on this line of inquiry.” This follow up does not appear to have occurred (see the entry for July 21, 1997).

January 1, 1997

The seven NPS Field Areas were reorganized back into the seven Regional Offices that exist today. While the Midwest Field Office began referring to itself as the Midwest Region almost immediately, transitioning the System Support Offices back into the regional office fold took most of 1997 to accomplish. By 1998, the Midwest Regional Office was essentially operating as it continues to do today.

January 1997

Superintendent Karen Gustin departs EFMO.

January 24, 1997

MWAC transmits comments on the draft Collections Management Plan for EFMO. Referencing Page 11, paragraph 1, lines 193-203, the comments state “The park is not working with the Midwest Archeological Center to resolve issues relating to the 1990 deaccessioned human remains (line 200).” The comments then go on to state that it is not clear whether those human remains are still included in the park collections. They go on to recommend a study to resolve the issue.

June 1997

Superintendent Kate Miller EOD's at EFMO.

July 21, 1997

Kate Miller signs the 1997 Collections Management Plan for EFMO. The Preface of the plan documents the history of the planning effort, and states that Carolyn Wallingford was unable to attend the November 20-22, 1996 site visit (see September 13, 1996 entry above).

July 24, 1997

Michelle Watson (MWR) emails Mike Evans and states that she spoke with Kate Miller that day. Kate was going to be making time to look over park NAGPRA records to “...decide how to proceed with the consultation process.” Michelle told Mike she was going to provide Kate with some notes “...about issues you and I are already aware of regarding NAGPRA issues at EFMO.” Later she documents talking to Carolyn Wallingford about “the ‘lost accessions’ issue of some time ago.” Carolyn referred her to the strike team trip report and the 1997 Collections Management Plan. Michelle also states that Kate “...expressed her embarrassment and discontent about not being able to locate certain collection items that American Indian have recently inquired about.” Kate is reported to have spoken with a Luther College professional (presumably Dale Henning) who has volunteered to look into the issue.

September 16, 1997

Purchase Order 1443PX6290-97-012 was cut for Henning to perform the work mentioned at the end of the July 24, 1997 entry.

September 1998

Dale Henning submits his paper titled “Accession History and Status of Accessioned Materials and 1986 & 1990 Deaccessioned Items and Objects.” One of the project's assigned objectives was to review the 1990 removal of human remains from the collection, including documentation and a determination of potential disposition of the remains. Henning states that “The disappearance of the skeletal remains became apparent at EFMO and resulted in a series of correspondences early in 1996, the general conclusions of which was that the remains were unaccountably missing (Appendix E).” Notably missing from Henning's report is the actual “deaccession” document, or any discussion of its suitability and/or legal sufficiency. Henning's report does not appear to have been shared with anyone outside the NPS, including tribes with which Superintendents Gustin and Miller have initiated contact in 1996-1998.

October 1999

Superintendent Kate Miller departs EFMO.

December 1999

Superintendent Phyllis Ewing EOD's at EFMO.

August 8, 2000

Mark Lynott (MWAC) sends an email to Tom Thiessen, Jan Dial-Jones, Bob Nickel, with a cc: to Mike Evans, documenting a phone conversation he had with EFMO superintendent Phyllis Ewing. Towards the end he states "I also told her about the disappearance of all the other human remains from the park collections."

From this point on, there appear to be no further references in park records to the missing remains until the issue reawakened in late April 2011.



**Effigy Mounds National Monument**  
**2008 NAGPRA summary**

**Culturally Affiliated Remains**

**Item:** Human remains  
**Accession #:** 60  
**Catalogue #:** 3741  
**Description:** One subadult between 1 and 2 years of age is represented by an incomplete thoracic vertebra.

**Item:** Biface  
**Accession #:** 60  
**Catalog #:** 3799  
**Description:** Biface with one notch (side); finely worked. Shakopee chert, fragment in good condition. L 1.95, W 1.30, T 0.3 CM

**Geographical Location:** 13CT55, Mound 66, Clayton County, Iowa.  
**Collection History:** Mound 66 underwent some restoration work in 1960, conducted by Effigy Mounds National Monument park personnel. It is likely that the vertebra was recovered at that time.

**Basis of Determination:** Artifactual material.  
**Cultural Affiliation:** Woodland

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**Item:** Human remains  
**Accession #:** 8  
**Catalogue #:** 4605, 4610, 4615, 4647, 4652, 4666, 4669, 4670, 4677, 4693, 4713, 4723, 4777, 4781, 4783-4786, 4792, 4793, 4799, 4803, 4815, 4830, 4831, 4852, 4872, 4893, 4938, 4944, 4976, 4982, 4985, 4996, 5015, 5022, 5030, 5120, 5125, 5133, 5134, 5142, 5159, 5237, 5240, 5257, 5259, 5274, 5276, 5278, 5293, 5381, 5391, 5399-5401, 5413, 5437, 5444, 5470, 5492, 5491, 5518, 5521, 5529, 5530, 5535, 5537, 5541, 5556, 5560, 5563, 5583, 5595, 5610, 5611, 5677

**Description:** Loose teeth, cranial and postcranial elements and fragments represent possibly two adults individuals; one young adult and one middle-aged to slightly older adult, and at least four subadults. Age estimates for the subadults are newborn to 1.5 years, 2.5 to 4.0 years, 4.6 to 5.2 years, and older child to juvenile.

**Geographical Location:** 13CT231, Clayton County, Iowa.  
**Collection History:** Archaeological investigations were conducted by Effigy Mounds National Monument personnel in the 1970s.

**Basis of Determination:** Artifactual material.  
**Cultural Affiliation:** Woodland

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**Item:** Human remains  
**Accession #:** 49  
**Catalogue #:**  
**Description:** Four postcranial fragments and a foot phalanx represent an adult or a near adult-sized individual.

**Geographical Location:** 13AM47, Allamakee County, Iowa.  
**Collection History:** The site had been excavated in the late 1940s by Ellison Orr, in 1951 and 1952 by Effigy Mounds National Monument staff archaeologist Wilfred Logan, and at an unknown date by Henry Field, Wilfred Logan, and Dale Henning.

**Basis of Determination:** Artifactual material.  
**Cultural Affiliation:** Oneota and Woodland



## Culturally Affiliated Native American Inventories Database

### US Dept. of Interior, NPS, Effigy Mounds NM

	MNI	AFO	Notes	Published Date	Last Updated
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> 13AM47 <b>ID:</b> Accession #: 49</p> <p><b>State/Area:</b> Iowa <b>County:</b> Allamakee</p>	1	0	<p><b>Collection History:</b> The site had been excavated in the late 1940s by Ellison Orr, in 1951 and 1952 by Effigy Mounds National Monument staff archaeologist Wilfred Logan, and at an unknown date by Henry Field, Wilfred Logan, and Dale Henning.</p> <p><b>AFO:</b> none</p> <p><b>Note:</b> culturally affiliated to the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.</p>	07-14-08	01-03-11
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> Waukon Junction Rockshelter <b>ID:</b> N/A</p> <p><b>State/Area:</b> Iowa <b>County:</b> Allamakee</p>	2	0	<p><b>Collection History:</b> removed by unknown persons at an unknown date</p> <p><b>Notes:</b> The Review Committee considered the proposal at its October 15-16, 2007 meeting and recommended disposition of the human remains to the Sac &amp; Fox Nation of Missouri in Kansas and Nebraska; Sac &amp; Fox Nation, Oklahoma; and Sac &amp; Fox Tribe of the Mississippi in Iowa .</p>	05-29-08	03-23-11
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> Mound #27 <b>ID:</b> N/A</p> <p><b>State/Area:</b> Iowa <b>County:</b> Allamakee</p>	1	0	<p><b>Collection History:</b> In 1952, human remains representing one individual were recovered during legally authorized National Park Service-sponsored excavations at Mound #27, a site located within Effigy Mounds National Monument boundaries.</p> <p><b>AFO:</b> none</p>	03-09-01	10-23-09
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> private lands near Effigy Mounds National Monument <b>ID:</b> EFMO 9916</p> <p><b>State/Area:</b> Iowa</p>	1	0	<p><b>Collection History:</b>In 1957, human remains representing one individual were recovered from a mound on private lands near Effigy Mounds National Monument. This set of human remains is comprised of 94 bone fragments from a bundle burial. These human remains were given to Effigy Mounds National Monument in 1962, and</p>	03-09-01	12-13-10

<p><b>County:</b> Allamakee</p>			<p>were transferred to the National Park Service's Midwest Archeological Center in 1973.  <b>AFO:</b> none  <b>Note:</b> Culturally affiliated with the Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; Ho-Chunk Nation of Wisconsin; Winnebago Tribe of Nebraska; Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake); Lower Sioux Indian Community of Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation in Minnesota; and Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation, Minnesota.</p>		
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> near Effigy Mounds National Monument  <b>ID:</b> N/A</p> <p><b>State/Area:</b> Iowa  <b>County:</b> Allamakee</p>	1	0	<p><b>Collection History:</b> In 1998, human remains representing one individual were received by and taken into the possession of Effigy Mounds National Monument.</p>	03-09-01	11-23-09
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> 13CT231  <b>ID:</b> Accession #: 8</p> <p><b>State/Area:</b> Iowa  <b>County:</b> Clayton</p>	6	0	<p><b>Collection History:</b> In the early 1970s, human remains representing a minimum of six individuals were removed from HWY 76 Rockshelter in Clayton County, IA, by National Park Service archeologist Wilfred Logan.  <b>Age/Culture:</b> Woodland  <b>AFO:</b> none  <b>Note:</b> culturally affiliated to the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.</p>	07-14-08	01-03-11
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site Name:</b> 13CT55, Mound 66  <b>ID:</b> Accession #: 60</p> <p><b>State/Area:</b> Iowa  <b>County:</b> Clayton</p>	1	1	<p><b>Collection History:</b> Mound 66 underwent some restoration work in 1960, conducted by Effigy Mounds National Monument park personnel. It is likely that the vertebra was recovered at that time.  <b>Age/Culture:</b> Woodland  <b>AFO:</b> biface  <b>Note:</b> culturally affiliated to the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma;</p>	07-14-08	01-03-11

			Lower Sioux Indian Community in the State of Minnesota; Otoe-Missouria Tribe of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Shakopee Mdewakanton Sioux Community of Minnesota; Upper Sioux Community, Minnesota; and Winnebago Tribe of Nebraska.		
<b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM  <b>Site Name:</b> Marquette Rockshelter <b>ID:</b> N/A  <b>State/Area:</b> Iowa <b>County:</b> Clayton	3	0	<b>Collection History:</b> removed by unknown person at unknown dates <b>Notes:</b> The Review Committee considered the proposal at its October 15-16, 2007 meeting and recommended disposition of the human remains to the Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; and Sac & Fox Tribe of the Mississippi in Iowa .	05-29-08	03-23-11
Total	16	1			



## Culturally Unidentifiable Native American Inventory Database

### US Dept. of Interior, NPS, Effigy Mounds NM

	MNI AFO		Notes	Published Date	Last Updated
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site:</b> Waukon Junction Rockshelter</p> <p><b>ID:</b> N/A</p> <p><b>State/Area:</b> Iowa</p> <p><b>County:</b> Allamakee</p>	2	0	<p><b>Collection History:</b> removed by unknown persons at an unknown date</p> <p><b>Notes:</b> The Review Committee considered the proposal at its October 15-16, 2007 meeting and recommended disposition of the human remains to the Sac &amp; Fox Nation of Missouri in Kansas and Nebraska; Sac &amp; Fox Nation, Oklahoma; and Sac &amp; Fox Tribe of the Mississippi in Iowa .</p>	05-29-08	03-23-11
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site:</b> Marquette Rockshelter</p> <p><b>ID:</b> N/A</p> <p><b>State/Area:</b> Iowa</p> <p><b>County:</b> Clayton</p>	3	0	<p><b>Collection History:</b> removed by unknown person at unknown dates</p> <p><b>Notes:</b> The Review Committee considered the proposal at its October 15-16, 2007 meeting and recommended disposition of the human remains to the Sac &amp; Fox Nation of Missouri in Kansas and Nebraska; Sac &amp; Fox Nation, Oklahoma; and Sac &amp; Fox Tribe of the Mississippi in Iowa .</p>	05-29-08	03-23-11
<p><b>Institution:</b> US Dept. of Interior, NPS, Effigy Mounds NM</p> <p><b>Site:</b> Mound 57</p> <p><b>ID:</b> None</p> <p><b>State/Area:</b> Iowa</p> <p><b>County:</b> Clayton</p>	12	3	<p><b>Collection History:</b> Uncovered during 1952 NPS-sponsored excavations at Mound 57; in possession of private individual until August 3, 2000, when returned to NM.</p> <p><b>Age/Culture:</b> Possibly Late Woodland, Oneota; AD 250-1650</p> <p><b>AFO:</b> 1 copper breastplate, 1 sandstone drill pivot, 1 piece of obsidian</p> <p><b>Note:</b> Originally inventoried as culturally unidentifiable; Affiliated in March 9, 2001, Federal Register notice; corrected in March 20, 2002, Federal Register notice as CUI. Request to Review Committee September 17, 2004 to repatriate to three Sac and Fox Tribes granted. Federal Register notice published December 20, 2004.</p>	12-20-04	07-22-10
<b>Total</b>	17	3			

**NATIONAL PARK SERVICE**  
**EFFIGY MOUNDS NATIONAL MONUMENT [MW]**  
**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT**  
**INVENTORY**

**11/10/1995**

**Listing of Human Remains and Associated Funerary Objects  
For Which No Culturally Affiliated Present-Day Indian Tribe  
Can Be Determined**

The following inventory concerns human remains and associated funerary objects for which the NPS is responsible. No items have been determined to be culturally affiliated with present-day Indian tribes. The determination of cultural affiliation was based upon information obtained from NPS museum records, cultural affiliation specialists, and consultation with representatives of the present-day Indian tribes as noted below. Additional information may be on file.

**ID #** 1

**Context Synopsis:** Dale Henning, assisted by Tim Mason, a member of Effigy Mounds staff, was contracted to repair vandal damage to Mound 43 of the Sny Magill Unit, Effigy Mounds NM. Documentation includes a report by Dale R. Henning (1991) titled "Archeological Evaluation of Damage to Mound 43 Sny Magill Unit Effigy Mounds NM, Iowa, on file at the Midwest Archeological Center.

**Accession Data:** MWAC accession no. 569; EFMO accession no. 147

**Provenience:** 13CT18 [SNY MAGILL MOUND NO. 43]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 15

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**Item:** BONE

**State Site No:** 13CT18 **SubContext:**

**Within Site Prov:** SNY MAGILL MOUND NO. 43 **Catalog #:** EFMO 9917

**Measurement:** **Item Count:** 15 **Item Qty:** 0 **Storage Unit:** EA

**Description:** HUMAN REMAINS FOUND IN THE 1991 LOOTING OF SNY MAGILL MOUND NO. 43.

**Cultural Identity:** **Identified by:** HENNING, DALE R.,

**Date/Period:**

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**ID #** 2

**Context Synopsis:** One bundle burial excavated from a conical mound in the "Devils Den Mound Group." Because of research conducted by (b) (6), (b) (7)(C) at Effigy Mounds during October, 1994, and through correspondence with Robert Bray, the Devils Den Mound Group, also known as the Marquette-Yellow River Mound Group No. 2, on the bluffs between Marquette and Yellow River has been confirmed as the site from which the burial was removed.

**Accession Data:** MWAC accession no. 35; EFMO accession no. 12

**Provenience:** 13CT50 [DEVIL'S DEN MOUND GROUP]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 0

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**Item:** BUNDLE BURIAL

**State Site No:** 13CT50 **SubContext:**

**Within Site Prov:** DEVIL'S DEN MOUND GROUP **Catalog #:** EFMO 9916

**Measurement:** **Item Count:** 0 **Item Qty:** 1 **Storage Unit:** BX

**Description:** ABOUT 94 WHOLE AND FRAGMENTARY BONES, SOME ARE WRAPPED AND SOME ARE PLASTER JACK ETED.

**Cultural Identity:** **Identified by:**

**Date/Period:**

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**ACCESSION HISTORY and STATUS  
of  
ACCESSIONED MATERIALS  
and  
1986 & 1990 DEACCESSIONED ITEMS AND OBJECTS**

Prepared for:  
Department of the Interior  
National Park Service  
Purchase Order No. 1443-PX6290-97-012

Field work conducted 11/17, 18, 1997

by  
Dale R. Henning

Illinois State Museum Society  
Archaeological Services Program  
Dale R. Henning, Director

Illinois State Museum  
Quaternary Studies Program  
Technical Report 97-1165-33

Report Submitted: September, 1998



## ACKNOWLEDGEMENTS

The research reported on in the following short report is the result of a long and arduous undertaking. Much of the heavy going has been made significantly lighter by Effigy Mounds National Monument Superintendent Kathleen Miller and her staff. I have consistently been given the assistance requested and have been offered understanding and sympathy when frustrated by data inconsistencies and informational dead ends. Careful and thoughtful review of the manuscripts submitted have been provided by Thomas D. Thiessen, Park Archeology Program Manager and Michelle Watson, Cultural Anthropologist, Cultural Resources Division, Midwest Support Office. Their comments are deeply appreciated; they made notable contributions to the final products. One extension in time was generously given; that time has been used to significantly alter a number of misconceptions and to improve the general quality of the report. Some misconceptions, errors and omissions undoubtedly remain that deeper and more intensive investigations could have avoided; for these I assume full responsibility.

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## INTRODUCTION

Human skeletal remains from accessions in the museum collection at Effigy Mounds National Monument were deaccessioned in 1986 and 1990. This report summarizes the accession history and offers an assessment of the status of the deaccessioned items. Those items all consist of human remains and are subject to NAGPRA. The project has been conducted following the Scope of Work of PO # 1443-PX6290-97-012 issued by Effigy Mounds National Monument, National Park Service (Appendix A). Included in the report is a listing of all objects (human remains) deaccessioned (Table 1), brief descriptions of how they came to be part of the Effigy Mounds National Monument (EFMO) collections, an account of studies made of those remains, their current status and a listing of objects that were associated with them (Table 2).

The 1990 deaccessioned items have been "tracked" from the time of their accession to the present. Most of these remains (Appendix H) have been studied and reported upon (Fisher and Schermer 1987) by the Iowa Office of the State Archaeologist (OSA). Some, those that were recovered off the Effigy Mounds tracts, have been reburied or sent to the state of origin for subsequent reburial. Reburial of Native American remains is conducted periodically by the Office of the State Archeologist, Iowa City, with appropriate ceremony. The time and place of these reburial ceremonies is not public. I am assured by OSA representatives, however, that reburied remains discussed in the following have indeed been reinterred, but am not privy to the time or place of burial. The remainder (remains recovered on EFMO) were returned to the Monument. It is clear in the letter from Calabrese to Schermer dated April 7, 1987 (Appendix B) that the invoice for the work was to be submitted after the collections (of human remains studied and reported upon) were returned to EFMO. With the exception of eight skull fragments from Accession 8 (Highway 76 Rockshelter), all human remains from Park property were returned to the Monument by the Office of the State Archeologist and were apparently received May 1, 1987 (Appendix H). The 8 skull fragments from Accession 8 were analyzed by OSA, then returned to EFMO (letter, Schermer to David, 2/28/90; Appendix C). All of the remains analyzed by OSA were eventually returned to EFMO, but are now unaccountably missing.

In 1995, the Superintendent at EFMO, Karen Gustin, was asked to search the museum collections for human remains. Following much correspondence, her letter dated 10/20/95 (Appendix E) states that a bundle burial, the Devil's Den burial, and remains retrieved from Mound 43, Sny Magill Group, during vandalism repair were curated at MWAC.

The disappearance of the skeletal remains became apparent at EFMO and resulted in a series of correspondences early in 1996, the general conclusions of which was that the remains were

unaccountably missing (Appendix E). I asked Superintendent Miller to initiate just one more search early in March, 1998, to look for two or more boxes, perhaps unopened, that could contain those human remains analyzed (a box 12x12x16 inches could accommodate a number of human femora and skulls). That search was performed, but no such boxes were found.

In the following report, skeletal remains will be dealt with by accession number. The accession catalogue offers contextual data (where the object came from), who presented the remains and, sometimes, something of the circumstances under which the remains were taken from the ground. Should the accession catalogue not offer information in sufficient detail for employment in this report, some "teasing out" of information has been required. Thus, some intensive research has been required for some accession units. Accession numbers are sometimes assigned to materials taken from more than one location; the locations are be sorted out and the materials from each discussed in that context if possible. The status and present location of the human remains identified will be discussed to the degree possible. Any objects which were associated with human remains, all of which are now *Unassociated Funerary Objects* (now physically separated from the skeletal elements), are presented in Table 2 by accession number and specific location.

## THE RESEARCH AND RESULTS

The present study is designed to assess the status of these NAGPRA eligible materials, to present the data pertinent to their becoming part of the EFMO collections, to demonstrate the relationship between the skeletal remains and any artifacts that may have been associated with them and, finally, to trace the present location(s) of the human remains. As did Fisher and Schermer (1987), I will follow the accession numbers assigned by various catalogers at Effigy Mounds.

**Accession #1** Accession #1 was posted in 1950, described as "Archeological materials from authorized excavations on the monument" (following this in different hand and pen is inscribed 13AM82 - 55), and was received from Paul Beaubien, Archeologist. The record also states that acquisition was through an NPS Authorized Project and that portions were deaccessioned ("see deaccession list"). The note offering the site number, 13AM82 (the Nazekaw Terrace site) and the number following that site number, 55, might be taken to suggest that all the skeletal remains came from Mound 55, one of the mounds from which materials included in accession #1 were derived.

Items included in Accession #1 were excavated by Paul Beaubien, NPS Archeologist, from Mound 55, Nazekaw Terrace, Effigy Mounds National Monument, in the summer of 1950 (Beaubien 1953a, 1953b). The skeletal remains were analyzed and written up by Fisher and Schermer (1996), then returned to EFMO on May 1, 1987. All were attributed to Mound 55 (Fisher and Schermer 1996:4-8).

There is a problem with these remains. Judging from the artifacts also included under Accession #1, there should have been skeletal remains from Mound 57 as well, including three badly decayed long bones and portions of two bundle burials, representing at least 12 individuals. Of the 12, one was an infant, one a child of about six, an adolescent of ca. 12 years and the remaining eight were adults (Beaubien 1953b:133-135). Beaubien does not describe any of the bone from Mound 57 as burned.

Mound 55, on the other hand, produced "a charred mandible and skull fragments ... charred fragments of a second skull ... an unburned femur associated with a portion of a crushed and charred pelvis ... numerous scattered fragments of charred bone in black earth loaded with minute pieces of charcoal ... the charred portion of the symphysis region of a mandible ... fragments of tooth enamel believed to be human." (Beaubien 1953b:129).

Schermer and Fisher discuss some cataloguing problems with the materials submitted to them, discussing at some length, but not resolving the difficulty, of material labeled "AM47". The "AM47" material is "a mixture of unburned bone and almost carbonized burned bone" (Schermer and Fisher 1996:4), which does not offer much assistance to this research. Still, Beaubien's description of the materials from Mound 55 suggests to me that most of the human remains from there were burned; the exception being one femur. Further, his descriptions of Mound 55 suggest that there could have been as few as only two persons represented. Following Beaubien's discussion, Mound 57 may have had as many as 12 individuals represented. I suspect that the Schermer and Fisher report combines data from Mounds 55 and 57 due to the poor records they received when presented with Accession #1. They might have become aware of these problems and, perhaps, modified their approach to the materials in Accession #1 had they consulted Beaubien's published accounts of the excavations (Beaubien 1953a, 1953b).

The human remains in Accession 1 were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 2** One item from the Ellison Orr collection (Cat #514) is apparently a piece of human bone from an undetermined location. It was not transferred to the Office of the State Archeologist for analysis and was not observed during the two visits I made to EFMO. Ellison Orr was not in the habit of retaining human bone in his collection, but might have done so in this instance because of some anomaly. It may remain in the collections, but was not located during the study.

**Accession #5** Accession #5 was posted on August 17, 1952, described as "Archeological materials from authorized excavations at Sny Magill Mound Group", and was received from Paul L. Beaubien, Archeologist. The record also states that acquisition was through an NPS authorized project, that portions were deaccessioned ("see deaccession list for deaccessioned portions of this accession") and that the catalogue number is 291. The trinomial site number for the Sny Magill Mound Group is 13CT18.

Fisher and Schermer (1987:9) were sent only a few bones from Accession 5 (Cat #3929; Appendix H). Their descriptions do not conform to Beaubien's description of the remains he found in Mound 7. They discuss the remains found in two boxes, suggesting that a minimum of one individual is represented. I do not believe that they received all the remains from Mound 7 and quite obviously did not receive the remains from Mounds 43, 27 or 24. These remains will be discussed below, relying on Beaubien's published discussions. The fate of the skeletal remains is not known.

*Mound 7* Beaubien (1953b:62-63) encountered two individuals in Mound 7, a low, conical mound in the Sny Magill Group. One was a compact bundle burial with most bones present and articulated. The vertebral column, skull, mandible, humeri, ulnae, femora and pelvis all were recognized in the field. He suspected that the burial was a secondary inhumation (buried after the body had at least partially desiccated or a burial - exhumation - reburial situation) because of the relationships of some of the articulated elements. The second individual is represented by some long bones, skull fragments, portions of a mandible and teeth. The teeth, found near the mandible, were worn sufficiently to expose pulp cavities; one carried a distinct caries pocket.

Three simple triangular projectile points were found in association with the scattered remains of the second individual in Mound 7. Obviously, Beaubien was nonplussed by their presence in a mound because this point type is generally associated with Upper Mississippian groups (in this region, Oneota) here. While he was digging it, Beaubien had obviously believed that Mound 7 was constructed by Woodland tradition people, led by the predominance of evidence supporting that hypothesis in this part of the Mississippi River valley. It should be noted, on the other hand, that the carious tooth suggests a high-carbohydrates diet, a characteristic of people that cultivated and ingested large amounts of corn. Evidence for corn gardening is quite common in late Woodland sites in some regions of the upper Midwest, but not in all. Most northeast Iowa late Woodland sites offer no evidence for corn horticulture. Beaubien found the triangular points remarkable, but found sufficient evidence for small triangular points in Wisconsin near Madison and in Northwestern Illinois to satisfy his doubts for late Woodland authorship for Mound 7. On the other hand, most of the mounds around Red Wing, Minnesota (located about 150 miles upstream on the Mississippi) about which any record remains were constructed by Upper Mississippian people. There is also other evidence for mound use, if not construction, by Oneota people in northeast Iowa. Unfortunately, those responsible for construction and use of Mound 7 did not see fit to include a pottery vessel or even a few potsherds to help us in identifying the makers.

The artifacts recovered from Mound 7 by Beaubien are listed in Table 2. There is a problem, however, with a fourth projectile point which is small and corner notched, perhaps an arrowpoint. The accession number on this contentious point is 1, suggesting that it was in the Beaubien Mounds 55 and 57 collection. It is catalogued as #3931, within the sequence (#s 3930-33) of the triangular points from Mound 7, but is clearly marked "Md 27", both of which

should be part of accession 5. Beaubien records no artifacts from Mound 27, a large bird effigy, and records no small corner notched points from Mound 7. I tentatively assigned it to Mound 7 because of the sequencing in catalogue numbers assigned (Henning 1998: Table 4), assuming that some cataloger had made at least one error and that it might belong with the Mound 7 materials. However, after careful rereading of Beaubien's published article on the mound and digesting the tenor of his considered and thoughtful reporting of triangular arrowpoints in late Woodland contexts, it is obvious that he did not knowingly recover this small corner notched point from Mound 7. It is not recorded from Mound 27 and is not mentioned from either Mound 55 or Mound 57 (both accession 1) that he investigated. Its derivation must be regarded as not known.

*Mound 24* Beaubien (1953b:61-62) describes Mound 24 as conical, 37 feet in diameter and three feet high. Pottery recovered in the mound suggests that it was constructed by middle Woodland people. Human remains consisted of only one skull cap which separated into many fragments when it was exposed, which is probably the reason Beaubien offers no estimate of age. Only pottery fragments, probably representing two jars, were recovered from the mound. These pottery fragments are listed in Table 2

*Mound 27* Beaubien (1953b:60-61) describes the remains of two individuals from Mound 27, a large bird effigy. One individual, a 9 year old child, is represented by 12 teeth, the other is an adult, represented by a metatarsus. No artifacts were recovered.

*Mound 43* Beaubien (1953b:57-60) states that he located four groups of bones in the mound. He refers to each group as a "burial." Burial one consisted of elements from three individuals, two of which had been disarticulated when buried. The third individual in this unit had been deposited while many of the bones were held in anatomical order by the remaining ligaments. Beaubien's burial 2 was a bundle burial with no evidence for articulation. Burial 3 was an articulated individual bundle burial. Burial 4 consisted of only four badly decayed long bones laid parallel and close to each other. According to Beaubien, perhaps parts of six individuals were recovered through his excavations at Mound 43. A number of artifacts were also recovered from Mound 43. These are listed in Table 2.

The human remains that Fisher and Schermer analyzed from Accession 5 were returned to EFMO on May 11, 1987 and have since disappeared.

**Accession 3** Accession 3 is a single item from the collection of Asbjorn Olsen; it was donated to EFMO by Dr. Warren Hayes of Waukon, Iowa. The object, a Conch or Whelk columella with a suspension hole, is labeled *Great Temple Mound, Le Flore Co., Oklahoma*. It is probably from the Craig Mound, Spiro Mound Group, a well-known ceremonial burial mound from which many artifacts have been taken. The artifacts were definitely in association with human remains; this shell object is undoubtedly an *unassociated funerary object*.

**Accession 4** Accession 4 includes items recovered from Mound 33 on Fire Point (13AM190)

through authorized excavations conducted by Wilfred D. Logan.

**Accession 8** Accession 8 consists of skeletal remains from the Highway 76 Rockshelter (13CT231), Effigy Mounds National Monument. The remains were studied by Fisher and Schermer (1987:10-14) and included the skeletal parts of at least 13 individuals. None of the individuals was represented by a complete skeleton. Included are 1 fetus, 2 nearly newborn infants, 1 child 1-2 yrs, 1 child 4-5 years, 1 child 5-6 years, 1 child ca. 8 years, 1 female 10-12 years, 1 adult female, 1 adult male 30-35 years and 1 adult male 50+ years. No artifacts were recovered with the remains.

I visited the site with Dr. Wilfred D. Logan some years after the excavations. The shelter is hardly a shelter, rather is an open fissure in the St. Peter sandstone where the remains had obviously been placed in the prehistoric past. It is difficult to locate and reach. The site was found by a climber-hiker and reported to Logan when he was Park Archeologist. The bones were subsequently removed by Logan.

Most of these bones were among those returned to EFMO on May 11, 1987. Eight skull fragments (Cat #'s 4924, 4929, 4930 (2 pieces) and four additional fragments were retained by Shirley Schermer, OSA, for study of cut marks. Schermer counted a total of 420 cut marks, probably from defleshing as part of burial treatment, on these skull fragments. She returned the fragments to EFMO in February, 1990 (Appendix C).

All of the skeletal remains in Accession 8 have since disappeared.

**Accession 12** is a bundle burial recovered during excavations directed by Robert T. Bray, Park Archeologist and acquired June 20, 1957 (b) (6), (b) (7)(C) notes, Appendix J). Assisting Bray were Ralph Blackwell, Robert Kile and (?) Dave Thompson. The burial was probably taken from Mound 2 of the Devils Den Mound Group. It was recovered from the mound in a plaster jacket and placed on display in the EFMO museum and removed from display in the early 1970s. It was transferred to the Midwest Archeological Center at some time prior to July, 1973. It has not been professionally analyzed. No artifacts were associated with the burial.

The bundle burial is currently curated at the Midwest Archeological Center.

**Accession 13** Accession 13 consists of human skeletal remains from the New Albin Rockshelter. The remains, consisting of the nearly complete skull of an individual (probably female) of 18-20 years, were studied and reported upon by Fisher and Schermer (1987:15-18). According to their report, a game warden turned over the remains to EFMO. This may have been Robert Daubendiek of Decorah, Iowa, a game warden assigned to this district about that time, 1957. Daubendiek was a very active collector about this time who characteristically turned all skeletal material over to some official agency. No artifacts were turned in. There is no record of any associated materials.



This skull has been reburied through the OSA reburial program.

**Accession 14** Accession 14 consists of human remains from the Elephant Terrace, 13AM59. The bones were included in a collection of materials brought in by Wilfred D. Logan. Logan (1975:68-70) did limited tests on the Elephant Terrace village site, producing some artifacts, but his report mentions no human bone, but apparently it was included in the accession. Parts of four adults: one female 16.5-18 years, one female 40-50 years, and two elderly (over 45) males. Logan does not mention digging into a mound or mounds. I would have expected mention in his published discussion of the Elephant Terrace had he encountered human remains, so wonder at how these materials came to be associated with Accession 14. There is a large number of elements, so many that they could not have escaped notice. I do not believe that they were excavated by Logan.

It is possible that these remains were actually excavated by Orr, and included for reasons unknown in the Logan accession. It was contrary to Orr's practice to retain large amounts of skeletal material from any of his excavations; however, but this seems one of few options at this time. Associated with the skeletal remains that Orr excavated (Logan 1975:67) were a finely chipped ovoid knife of a type found with local Oneota burials and a black stone ball. These items are probably eligible for NAGPRA and may reside in the Orr collection (Accession 2). Their possible presence arose in the process of unraveling the skeletal data. They were not identified in the first study and are not included in my NAGPRA Summary.

The skeletal remains have been reburied through the OSA reburial program.

**Accession 16** Accession 16 consists of skeletal remains and artifacts recovered from Mound 36 or 37 (13AM190), by Dr. H.P. Field of Decorah, Iowa, in 1928. The accession notes include in different hand from the original "also, 13AM82", which adds a bit of confusion. I have found no notes suggesting that Dr. Field excavated mounds on the Nazekaw Terrace (13AM82) and I doubt that he would have confused the materials from the two sites at the time he turned them in. Field probably applied some type of preservative to the bones; this was standard practice for him when encountered with bone in poor condition. Fisher and Schermer (1987:30-31) had very little to work with and suggest that two or three individuals are represented. Five artifacts were recovered with these skeletal materials; they are listed in Table 2.

The skeletal remains were returned to EFMO on May 11, 1987, and have since disappeared.

**Accession 44** The entry under Accession 44 is "material stored in EFMO collections with no information, labels, etc.", which offers very little. Fisher and Schermer (1987:32-33) suggest that the minimum number of individuals is two. There are no known associated artifacts.

The skeletal remains are at the Office of the State Archeologist, Iowa City, awaiting reburial.

**Accession 48** The skeletal remains included in Accession 48 were recovered between 10 July and 26 October, 1963 (Fisher and Schermer 1987:34-41), by persons not identified in the accession records. The site was investigated during the tenure of Garland Gordon as Park Archeologist; it is possible that he visited the shelter site, but I doubt that he entered the shelter. I have not visited the site, but understand that it was very difficult to attain entry due to the construction activities that had removed part of the bluff face. Robert Daubendiek, the regional game warden noted locally for his lack of fear in any situation, did visit the shelter and removed some skeletal remains as well as numerous artifacts. My brother, Darrell Henning, also gained entry with Daubendiek during this period of time. Either of them may have contributed the skeletal remains; others may have been involved as well. If any artifacts were associated, no record of those associations is extant. Fisher and Schermer (1987) record evidence for the remains of at least eight individuals.

The remains have been reburied through the OSA reburial program.

**Accession 49** Skeletal remains from the Spike Hollow Rockshelter (13AM47) may have come from excavations conducted by Wilfred D. Logan. Dr. H.P. Field and I were present for some of these tests. Although I recall Logan making field notes, these were apparently not available when Fisher and Schermer (1987:42-45) analyzed the human remains. Their report suggests that a minimum of five individuals was present, all adults. No artifacts are known to have been recovered in association with the human remains.

I was of high school age when the excavations took place, so some time has passed and recollections are dim. My recollections of Spike Hollow include one visit to the site with Ellison Orr, probably when I was in grade school and, years later, handling a sifting screen for Logan. I do not recall any human remains coming from the shelter. Those may have been recovered at a time or times when I was not present.

The human remains have been reburied through the OSA reburial program.

**Accession 50** Human skeletal remains were recovered from a burial near Guttenburg, Iowa. The records sought offer no idea as to who the excavators were or who turned the remains in at EFMO. These materials were analyzed by Fisher and Schermer (1987:46-52) and are the remains of one male adult. No artifacts are known to have been associated; none are included in Accession 50.

The human remains have been reburied in through the OSA reburial program.

**Accession 51** Accession 51 consists of the remains of two individuals, a small child 1-2 years old, and an adult. The material was analyzed by Fisher and Schermer (1987:53-57). During my indiscriminate digging days, prior to 1953, I found the infant beneath a rockfall in the Quandahl shelter. I do not recall the adult bones; they could easily have come from some other location in the shelter. There were no associated artifacts.

The human remains remain at the Office of the State Archeologist, Iowa, and await reburial with other remains from the site.

**Accession 53** Accession 53 consists of burned and unburned human skeletal remains from Mound 18, 13AM207 (North Unit, EFMO). These materials were apparently recovered by authorized excavations conducted under the direction of Wilfred Husted, Archeologist, National Park Service. Elements from a minimum of three individuals, one subadult 10-15 years old and two adults were analyzed by Fisher and Schermer (1987:58-60).

The remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 56** There are no human remains in Accession 56, but the artifacts are included because of their relationship to a mound context. These materials come from Mound 42 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations, probably cleaning and restoring old relic-hunters' holes, performed under the supervision of James Mount, Park Archeologist. Two potsherds and a glass jar of red ocher and dirt (Cat. #'s 3464-66) are included in Table 2.

**Accession 58** There are no human remains in Accession 58, but the objects are included because of the mound context. These materials come from Mound 61 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations performed under the supervision of Garland Gordon, Park Archeologist. One Woodland rimsherd and five small projectile points were recovered and are listed in Table 2.

**Accession 60** There are no human remains in Accession 60, but the objects are included because of the mound context. These materials come from Mound 66, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One projectile point was recovered and included in Table 2.

**Accession 64** There are no human remains in Accession 64, but the objects are included because of the mound context. These materials come from Mound 71, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One bottle of large charcoal fragments was recovered. That item is included in Table 2.

**Accession 65** There are no human remains in Accession 65, but the objects are included because of the mound context. These materials come from Mound 72, EFMO and were recovered during authorized excavations under the supervision of John Ingmanson, Park Archeologist. One bottle of large charcoal fragments and a bottle of soil were retained and are listed in Table 2.

**Accession 70** Accession 70 consists of human skeletal remains from the Marquette Rockshelter. The precise location and site number of this rockshelter is not known, nor is

there information about the excavator or donor. The remains were analyzed by Fisher and Schermer (1987:61-69), who record a minimum of 10 individuals, 1 newborn, 1 child 1.5-2.5 years., 1 child 3-5 years, 1 child 6-7.5 years, 1 child 8-9.5 years, 1 child 10-12 years and four adults (one younger, one middle-aged, two elderly). No artifacts are known to have been associated with these remains.

The remains were reburied through the OSA reburial program.

**Accession 72** Accession 72 (catalogue #591) is apparently human bone recovered from the surface four miles north of Harper's Ferry, Iowa. Not analyzed by OSA, its identification and status are unknown. It was not located during this investigation.

**Accession 77** Accession 77 consists of human skeletal remains from the Karnopp Mound Group, Prairie du Chien, Wisconsin. These remains were donated by Gordon Peckham of Prairie du Chien. The excavator is not known. The skeletal remains, consisting of the partial remains of a juvenile 12 - 14 years of age, were analyzed by Fisher and Schermer (1987:70-71). Some artifacts, "ceramic sherds, chipping flakes, point" are listed in the Accession Records at EFMO. I assume, but cannot be certain, that the artifacts were returned to Wisconsin with the human bone.

These remains were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state (Appendix E, notes dated 3/11/96, letter Schermer to Gustin, 3/20/96)

**Accession 78** This skeletal material is from Mound 12, 13AM101, the Red House Landing Mound Group, EFMO. It was excavated by John Ingmanson, Park Archeologist, during an authorized excavation. It was accessioned in July, 1977, probably shortly after it was recovered. The bone has been analyzed by Fisher and Schermer (1987:72-75), who identified a minimum of two subadults and two adults. No artifacts were recovered in association with these remains.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 87** These skeletal remains are from an unknown location and no donor name is listed in the Accession Record. The material was analyzed by Fisher and Schermer (1987:76-78) who found elements of a minimum of two adults. No artifacts are known to have been associated.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 95** Accession 95 includes items (catalogue numbers 1940, 1941) collected outside the park (Appendix E, Gustin to Watson, 3/25/96) and deaccessioned in 1990 (Appendix G). Fisher and Schermer (1987) do not mention Accession 95, suggesting that they did not receive those materials for analysis. These materials have not been located since deaccession.

**Accession 106** These remains were recovered through authorized excavations of Mound 33, Fire Point Site (13AM 190) by Wilfred D. Logan, Park Archeologist. The skeletal elements were analyzed by Fisher and Schermer (1987:79-85), who identified a minimum of three subadults and two adults. These remains were accompanied by artifacts, under Accession 4, which are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 107** The skeletal remains under Accession 107, deaccessioned in 1990 (Appendix G), were analyzed by Fisher and Schermer (1987:86), who identified the small fragments as representing a minimum of one individual.

The remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 109** The remains under Accession 109 consist of skeletal elements and a few artifacts that were found in an authorized excavation of Mound 38, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987:87-90), who identified elements from at least five individuals. A few Woodland tradition bodysherds were also recovered in these excavations. They are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 110** The remains under Accession 110 were items collected within the park (Gustin to Watson, 3/25/96, Appendix E) and deaccessioned in 1990 (Appendix G). They were included with uncatalogued materials (Appendix G). They were not analyzed by Fisher and Schermer (1987) and have not been located.

**Accession 111** The remains under Accession 111 consist of skeletal elements and one flake that were found in an authorized excavation of Mound 41, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987: 91). One adult individual was identified. The flake is included in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 114** Accession 114 materials were taken from Mound 41 (13AM190) during stabilization work conducted by Garland Gordon, EFMO. No skeletal remains were recovered in this work.

**Accession 118** Accession 118 is material taken from Mound 52 (13AM190) during work conducted by Robert Kile, EFMO. No skeletal remains were recovered in this work.

**Accession 132** Accession 132 (catalogue numbers 7249, 7331) consists of human remains

collected outside the park (Gustin to Watson, 3/25/96, Appendix E) and deaccessioned in 1990 (Appendix G). These remains were not analyzed by Fisher and Schermer (1987) and were not located during this study.

**Accession 142** A few skull fragments were recovered during an exploratory test of a low rise between Mounds 91 and 89, Sny Magill Mounds (13CT18). These tests were authorized by the National Park Service through contract with Luther College, Dale R. Henning, Project Director (Henning 1989:12-14). As soon as human remains were identified, the excavation was closed down. We had learned that the low rise was indeed created prehistorically for human interment. Most of the skull was left in place; the fragments recovered were retained. All artifacts and the skull fragments were curated at Luther College, Decorah, Iowa.

The skeletal remains are currently curated by Luther College (Appendix G).

**Accession 148** The entry for Accession 148 in the Accession Book is partially incorrect through the identification of the mound investigated as Mound 68. I did the work (Henning 1991); it was Mound 43, the same mound that Beaubien excavated in 1952 (Beaubien 1953b). I had also investigated vandalism at Mounds 68 and 62; the work was done the previous year and resulted in finding no human remains. The work I was called upon to do at Mound 43 was to investigate and repair damage done by vandals that same year. I was very surprised to encounter fragments of human bone in the relic hunters' backdirt pile because Beaubien had been very thorough in his investigations of the mound. I knew that he had left some balks near the center of the mound where the damage had occurred and suspected that the hole had intruded into one of those. This possibility was investigated in the field, but all the soil appeared along the pit edges to be very unconsolidated and recently disturbed, suggesting that the vandals had intruded into Beaubien's old excavations and had encountered nothing but previously excavated soil. The bone encountered was fragmentary, but in quite good condition. Beaubien described all the bone found in 1952 as poor in condition. The presence and derivation of the bone we found remains a mystery.

The human bone found in the 1991 repair work was turned over to MWAC and remains there (Appendix J).

## SUMMARY AND CONCLUSIONS

The study is ended, if not concluded. Tracing the derivation, curation and ultimate disposition of the human remains placed in the curatorial care of Effigy Mounds National Monument over the past four decades has proven an immensely difficult task. The records are poor and inaccurate to the degree that every number and artifact has to be checked and re-checked in order that it might be presented correctly. In some instances, I know I have failed, if only because of time and the distance of *all* the records that should be checked from my base of operations. The results are intellectually disappointing in many ways. The human remains

and the associated (now, Unassociated) artifacts that I have been allowed the privilege of studying are very important; their importance significantly enhanced by the records of their excavation and curation. In some instances, these records were lost when the items were donated to EFMO, but in many others the records, even the artifacts themselves, were lost or confused by incompetent curation. Some of the worst work was apparently done by professional archeologists, not a positive commentary on our chosen field of expertise. One of the best pieces of work was done not by a professional archeologist but (b) (6), (b) (7)(C) Administrative Clerk at EFMO, who researched the bundle burial once on exhibit at EFMO (Appendix J). If every accession number, every catalogue number and every artifact at EFMO could receive that kind of detailed attention, a host of incorrect entries and mistakes in cultural identification and object location could be corrected. There is no doubt in my mind that entry errors and poor archeological identifications lie in wait for any researcher who works with the collections in the future unless an intense effort is made to compare and integrate all the catalogues, the journals and the artifacts themselves, then prepare a master inventory that can be used. The collections constitute an absolutely invaluable research collection even at this time, but the cataloguing and records need attention. I can only hope that my own endeavors have not added additional elements of confusion.

Accessions 1, 5, 8, 13, 14, 16, 44, 48, 49, 50, 51, 53, 70, 77, 78, 87, 106, 107, and 111 were analyzed by the Office of the State Archaeologist.

Of these, Accessions 1 and 5 were incomplete and not adequately identified to mound derivation when they were submitted to OSA. This is unfortunate in the extreme. These were professional excavations, and (Accession 5) were the first authorized excavations conducted at the Sny Magill Mound Group. The problem may have been compounded by failure of the OSA human biologists to consult Beaubien's published reports, especially in the instance of his excavations of Mound 55 and 57, 13AM82. OSA did not receive all of the skeletal remains Beaubien recovered at Sny Magill. The bulk of those materials were either never turned in to EFMO or were lost after submission to EFMO by Beaubien. Now, of course, we may never know.

Accession 14 is confused. Logan apparently found no skeletal remains from the Elephant Terrace where those materials are supposed to have come from. That leaves the excavations of Ellison Orr as a possible source. If they came to EFMO from Orr's work, they should have been under Accession 2. We are left in doubt of the authenticity of these remains until time can be taken to compare the OSA analysis with Orr's notes in great detail. Any field notes taken by Logan should also be reviewed. The NAGPRA eligibility of artifacts recovered by Orr from the Elephant Terrace should be reviewed in the future.

Of the materials analyzed by OSA, the following accession numbers have been reburied: 13, 14, 48, 49, 50, 70, 87. Skeletal remains from two sites (Accession #'s 44, 77) have not been reburied, but are held by OSA until other remains are available to be reinterred with them.

Accession #77 was analyzed by OSA, then sent to the State Historical Society of Wisconsin for reburial.

Accessions 1, 5, 16, 53, 78, 106, 109 and 111 were returned to EFMO by OSA on May 1, 1987. Accession 8 was returned on 2/28/90. All of these skeletal remains have since disappeared.

Accessions 95, 110, and 132 either consist of a few catalogued elements of human bone or were not catalogued. These remains were not studied by Fisher and Schermer and have disappeared.

Accessions 12 and 148 are curated at the Midwest Archeological Center, Lincoln, Nebraska.

Accession 142 is curated at Luther College, Decorah, Iowa.

Accessions 2 (Cat #514) and 72 (Cat #591) are listed as deaccessioned in the 1986 list (Appendix G), but were not analyzed by OSA nor are they extant in the collections today. They must have been human bone, but there is no indication of element or other information. These items have disappeared and could not be studied.

Artifacts once associated with skeletal remains (now, Unassociated Remains) were sought and listed in tabular form. Again, there are problems due to past curatorial practices. A copper sheet (#3234) and two antler artifacts (not catalogued, given #'s -2, -1; Table 2) apparently came from Mound 55, EFMO, but the Beaubien report combined with curational data offers reason for doubt. There is an 'extra' small corner notched projectile point from Mound 7 that was not described by Beaubien in his published report. It is attributed to Mound 27, judging from an inscription on its surface, but Beaubien reported no artifacts from that mound. There are only five copper beads from Mound 43 in the collections; Beaubien recorded 12. The pearl bead reported and illustrated from Mound 33 by Logan could not be located in the collections. There are probably other problems with the Unassociated Artifacts that could not be discerned without reference to publications. A number of authorized excavations (by Husted, Gordon, Ingmanson, Mount) have taken place that have not been formally reported on, suggesting that those reports were not regarded as a high priority, which is unfortunate. That affords the researcher with no recourse other than to notes and artifacts.

The responsibilities we have been given by NAGPRA are many and varied. One very positive result of the requirements is that we now must study the collections for which we have assumed curatorial responsibility and attempt to place the remains culturally, geographically and chronologically with the records at hand. It has afforded many professional archeologists an opportunity to try to use the results of previous curatorial practices and, in so doing, to look to ourselves and the importance to the future of how we function as stewards of the past. It is a sobering thought that has stimulated and guided significant improvements in curatorial efforts over the past few years. We can learn from the past.



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Table 1. Status, Human Remains, Effigy Mounds National Monument

Accession Number	Derivation	Analyzed by OSA	Current Status
1	Mound 55, 13AM82, EFMO	yes	unknown
2	Ellison Orr collection; otherwise unknown (cat #514)	no	unknown
5	Mound 7, Sny Magill (13CT18), EFMO	yes	unknown
8	Hwy 76 Rockshelter (13CT321), EFMO	yes	unknown
12	Devil's Den Mound group (13CT50)	no	MWAC
13	New Albin Rockshelter	yes	reburied
14	Elephant Terrace (13AM59)	yes	reburied
16	Mound 36 or 37, 13AM190, EFMO	yes	unknown
44	unknown	yes	not reburied, held at OSA
48	Waukon Jct. Rockshelter (13AM266)	yes	reburied
49	Spike Hollow Rockshelter (13AM47)	yes	reburied
50	Guttenberg Burial	yes	reburied
51	Quandahl Rockshelter (13WH35)	yes	not reburied, held at OSA
53	Mound 18, 13AM207, EFMO	yes	unknown
70	Marquette Rockshelter	yes	reburied
72	Surface, 4 mi. N. of Harper's Ferry	no	unknown
77	Karnopp Mound Group, Prairie du Chien, Crawford Co., WI	yes	sent to St. Hist. Soc., WI for reburial in state
78	Mound 12, 13AM101, EFMO	yes	unknown
87	unknown	yes	reburied
106	Mound 33, 13AM190, EFMO	yes	unknown
107	Mound 39, 13AM190, EFMO	yes	unknown
109	Mound 38, 13AM190, EFMO	yes	unknown
110	Surface, Mound 38, 13AM190, EFMO	no	unknown
111	Mound 41, 13AM190, EFMO	yes	unknown
132	Surface, FTD village, EFMO	no	unknown
142	Sny Magill Mounds (13CT18), between Mnds. 91-89, EFMO	no	Luther College, Decorah, Iowa
148	Sny Magill Mound 43 (13CT18), EFMO	no	MWAC

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
<i>Accession 1</i>						
Antler artifact	-2	1	1	Antler flaking tool	Mound 55, EFMO (13AM82)	Beaubien
Antler artifact	-1	1	1	Antler artifact, possible beamer	Mound 55, EFMO (13AM82)	Beaubien
Copper sheet	3234	1	1	Small flat sheet of copper, perforated one end	? Mound 55, EFMO (13AM82)	Beaubien
Flake	3475	1	1	Knife River flint flake, heat spall (2 pieces glued)	Mound 55, EFMO (13AM82)	Beaubien
Biface	3480	1	1	Projectile point /knife fragment	Mound 55, EFMO (13AM82)	Beaubien
Stone	3481	1	1	Possibly unmodified stone	Mound 55, EFMO (13AM82)	Beaubien
Stone	3484	1	1	Possibly unmodified stones (2)	Mound 55, EFMO (13AM82)	Beaubien
Biface fragment	3485	1	1	Knife River flint biface frag. or unfinished proj. point	Mound 55, EFMO (13AM82)	Beaubien
Tooth fragment	3486	1	1	burned canine fragment (?bear) joins 3487 and 2 smaller frags	Mound 55, EFMO (13AM82)	Beaubien
Tooth fragment	3487	1	1	burned canine fragment (?bear) joins 3486 and 2 smaller frags	Mound 55, EFMO (13AM82)	Beaubien
Stone	3488	1	1	Stone remnant	Mound 55, EFMO (13AM82)	Beaubien
Biface	7078	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, EFMO (13AM82)	Beaubien
Copper breastplate	7082	1	1	Middle Woodland copper gorget or breastplate	Mound 57, EFMO (13AM82)	Beaubien
Biface	7086	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, EFMO (13AM82)	Beaubien
Bear canine	9862	1	1	bear canine, hole drilled at proximal end	Mound 55, EFMO (13AM82)	Beaubien
<i>Accession 2</i>						
Uniface	4	2	1	End scraper, Oneota	Burial ((b) (3))	Ellison Orr collection

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
Awl, bone	8	2	1	Deer bone, tip broken off	Oneota burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Pottery	55-78	2	1	24 pieces of pottery	Mound 2, Paint Rock grp, Allamakee Co., Ia	Ellison Orr collection
Uniface	80	2	1	End scraper, Oneota	Burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Abrader	309	2	1	Arrowshaft abrader, sandstone	Burial (b) (3)	Ellison Orr collection
Hematite concretion	356	2	1	Previous identification as pottery vessel; is a concretion, perhaps drilled out.	Burial (b) (3)	Ellison Orr collection
Awl sharpener	7096	2	1	Oneota, sandstone	Burial (b) (3)	Ellison Orr collection
Copper bracelet	9864	2	1	Small copper bracelet	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Copper bracelet	9865	2	1	Small copper bracelet	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
Metal cone	9866	2	1	Copper/brass sheet metal cone, heavy ornament or punch	Assoc. w/ child burial, O'Regan Terrace (13AM21)	Ellison Orr collection
<i>Accession 3</i>						
Conch Columella	2432	3	1	Large conch/whelk columella, suspension hole	Great temple mound, Le Flore Co., Okla.	Asbjorn Olsen Collection by A. Olsen
<i>Accession 4</i>						
Mica	3360	4	1	Rectangular mica piece	Mound 33, EFMO (13 AM190)	Logan
Chert drill	3361	4	1	Chert flake drill (tip broken off)	Mound 33, EFMO (13AM190)	Logan
Chert flake	3362	4	1	Chert flake, perhaps used	Mound 33, EFMO (13AM190)	Logan
Copper breastplate	7083	4	1	Middle Woodland copper gorget or breastplate	Mound 33, EFMO (13AM190)	Logan
<i>Accession 5</i>						
Chert biface	3930	5	1	Projectile point, triangular	Mound 7, Sny Magill F36 (13CT18)	Beaubien
Chert biface	3931	5	1	Projectile point, notched	Mound 7, Sny Magill (13CT18)	Beaubien

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
Chert biface	3932	5	1	Projectile point, triangular	Mound 7, Sny Magill (13CT18)	Beaubien
Chert biface	3933	5	1	Projectile point, triangular	Mound 7, Sny Magill (13CT18)	Beaubien
Pottery	9891	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	9892	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	9893	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill (13CT18)	Beaubien
Pottery	3951	5	1	Bodysherds, 4 joined, Middle Woodland	Mound 43, Sny Magill (13CT18)	Beaubien
Red ochre	3955	5	1	Red ochre	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	3958	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	3977	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	7080	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	7081	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43 Sny Magill (13CT18).	Beaubien
Copper Beads	9435	5	1	Small copper cylindrical beads (Beaubien, 1953 records 12: only 5 located)	Mound 43, Sny Magill (13CT18)	Beaubien
Chert uniface	9894	5	1	Side scraper	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	9895	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Chert biface	9896	5	1	Projectile point	Mound 43, Sny Magill (13CT18)	Beaubien
Hammerstone	9897	5	1	Chert hammerstone	Mound 43, Sny Magill (13CT18)	Beaubien
<i>Accession 16</i>						
Pottery vessel	658	16	1	Small pottery jar, Oneota	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Abraded stone	1007	16	1	Abraded, flat river pebble	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Concretion	1134	16	1	Hematite concretion, polish	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Paint Stone	1135	16	1	Abraded hematite fragment	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
Galena	1136	16	1	Unworked galena	Mound 36 or 37, EFMO (13AM190)	H. P. Field, Donor
<i>Accession 56</i>						
Pottery	3464	56	1	Bodysherd, Woodland	Mound 42, EFMO (13AM190)	James Mount
Pottery	3465	56	1	Bodysherd, Woodland	Mound 42, EFMO (13AM190)	James Mount
Red ochre	3466	56	1	Glass jar of red ochre and dirt	Mound 42, EFMO (13AM190)	James Mount

Table 2. Objects Associated with 1986, 1990 Deaccessions

Object Name	Cat. No.	Access. No.	Scope	Description	Derivation	Donor or Excavator
<i>Accession 58</i>						
Rimsherd	3513	58	1	Woodland rimsherd	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3543	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3546	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3547	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3548	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
Chert biface	3549	58	1	Small projectile point	Mound 61, EFMO (13AM82)	Garland Gordon
<i>Accession 60</i>						
Chert biface	3799	60	1	Projectile point	Mound 66, EFMO	Garland Gordon
<i>Accession 64</i>						
Charcoal	3775	64	1	Bottle of large charcoal fragments	Mound 71, EFMO	Garland Gordon
<i>Accession 65</i>						
Charcoal	3776	65	1	Bottle of large charcoal fragments	Mound 72, EFMO	John Ingmanson
Soil	3782	65	1	Bottle of soil	Mound 72, EFMO	John Ingmanson
<i>Accession 109</i>						
Pottery	3452	109	1	Bodysherds (3), Woodland	Mound 38, EFMO (13AM190)	Garland Gordon
Pottery	3453	109	1	Bodysherds (2), Woodland	Mound 38, EFMO (13AM190)	Garland Gordon
<i>Accession 111</i>						
Flake	3463	111	1	Struck chert flake	Mound 41, EFMO (13AM190)	Garland Gordon
<i>Accession 114</i>						
Galena	3473	114	1	galena chunk, not modified	Mound 52, EFMO (13AM190)	Garland Gordon
<i>Accession 118</i>						
Rimsherd	3725	118	1	Woodland rimsherd	Mound 62, EFMO (13AM113)	unknown

## APPENDICES





**Appendix A**  
**Project Contract**

ORDER FOR SUPPLIES OR SERVICES

PAGE 1 OF 1 PAGES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 09/16/97	2. CONTRACT NO. (If any) OH	3. ORDER NO. 1443PX6290-97-012	4. REQUISITION/REFERENCE NO. RF06290-7-0004
5. ISSUING OFFICE (Address correspondence to) ADMINISTRATION (319) 873-3491 EFFIGY MOUNDS NATIONAL MONUMENT 51 HWY 76 HARPERS FERRY, IOWA 52146		6. SHIP TO: (Consignee and address, ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5	

7. TO: CONTRACTOR (Name, address and ZIP Code)  
  
 Illinois State Museum Society  
 Spring and Edwards Streets  
 Springfield, Illinois 62706  
  
 217-782-6092

8. TYPE OF ORDER  
 A. PURCHASE - Reference your \_\_\_\_\_  
 Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of:  
FAR Part 13  
 B. DELIVERY - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA 6290-UZG 255S \$6000.00	10. REQUISITIONING OFFICE C1D EFFIGY MOUNDS NATIONAL MONUMENT
11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input type="checkbox"/> SMALL <input type="checkbox"/> OTHER THAN SMALL <input type="checkbox"/> DIS-ADVANTAGED <input type="checkbox"/> WOMEN-OWNED	

12. F.O.B. POINT Harpers Ferry, Iowa	14. GOVERNMENT B/L NO. N/A	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 02/01/98	16. DISCOUNT TERMS NET 30
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17. SCHEDULE (See reverse for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	Assessment of specific objects in the museum collections of Effigy Mounds National Monument. Scope of Work attached and incorporated into this purchase order.  Objectives 1 and 2 from Scope of Work: Not to Exceed:  Contracting Officer's Representative: Kathleen L. Miller 319-873-3491  Mid-point progress report due: 12/15/97 Draft reports due: 01/02/98 Final reports due: 02/01/98  Initial meeting scheduled between COR Miller and Dr. Dale Henning before commencing work.	1	JOB	6000.00	6,000.00	

18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.	17(H). TOT. (Cont. pages)
21. MAIL INVOICE TO: (Include ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5			6,000.00

22. UNITED STATES OF AMERICA BY (Signature) *Florenca M. Wiles*

23. NAME (Typed) FLORENCIA M. WILES, NPS-MW-IC-075  
 TITLE: CONTRACTING/ORDERING OFFICER

**SCOPE OF WORK FOR AN ASSESSMENT OF SPECIFIC OBJECTS  
IN THE MUSEUM COLLECTIONS OF  
EFFIGY MOUNDS NATIONAL MONUMENT  
IN RELATION TO THE NATIVE AMERICAN GRAVES PROTECTION  
AND REPATRIATION ACT OF 1990 (NAGPRA)**

This Scope of Work is for an assessment of certain objects in the museum collections of Effigy Mounds National Monument that have either been determined to or potentially meet the definitions of Inventory or Summary objects as defined by Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The purpose of this study assessment is to document whether certain objects in the monument's museum collections potentially meet the definitions of NAGPRA. The results of the assessment will provide park managers with information to be used to update their NAGPRA Summary and Inventory, and will be used in NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

**Background**

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) requires Federal agencies to provide information about Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in their collections, to Native American lineal descendants and Indian tribes. NAGPRA gives those federally recognized American Indian Tribes and Native American lineal descendants the right to claim for repatriation certain cultural items and human remains held in park museum collections.

Effigy Mounds National Monument, Harpers Ferry, Iowa, prepared a Summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony in 1993, an Inventory of human remains and associated funerary objects in 1995, and have consulted with Tribal representatives. Both the Summary and Inventory were prepared based on information provided in the museum's catalog and accession records and the Ellison Orr archives.

The NAGPRA Summary of 1993 for Effigy Mounds National Monument lists 19 entries consisting of pipe fragments, red ocher, awl sharpeners, sherds, projectile points, and more. At this time, possible contemporary affiliation for the Summary objects is unknown. The NAGPRA Inventory of 1995 lists culturally unidentifiable Native American remains which were recovered from two separate sites. The monument's museum collection contains approximately 18,000 items on site including objects and archival records. A small collection of materials and associated records are curated at the Midwest Archeological Center (MWAC), Lincoln, Nebraska. This collection at MWAC has not been cataloged and is considered a

catalog backlog. All other collections at the monument, however, are catalogued and entered into the National Park Service's Automated National Catalog System (ANCS), a database which can be accessed through dBase III.

Since the preparation of the NAGPRA Summary and Inventory, the staff at Effigy Mounds National Monument believes there may be additional items in the monument collections that may fit the categories and definitions of NAGPRA, and thus, these items should be added to the lists. The possibility also exists that certain other items already listed should not be.

### **Study Objectives**

Effigy Mounds National Monument is requesting a professional assessment of specific objects in their monument collections, together with accession records, to determine the status of these objects in relation to NAGPRA. The assessment will be the basis for a future study to evaluate potential cultural affiliation of objects with contemporary cultures and for NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

Two unresolved issues exist in the monument's records related to a 1990 deaccession of human remains. A review of the deaccession process and related documents and records is needed to clarify the disposition of these items and determine whether any associated grave goods remain in those accessions. If so, those existing grave goods would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument.

More specifically, the objectives of the study are to:

Objective 1. conduct a professional review and evaluation of the NAGPRA Summary and Inventory objects already listed for Effigy Mounds National Monument, other collection objects that have been recently identified as being potential Summary objects, and any other collection items that are identified during the review as potentially eligible as either Summary or Inventory objects as defined under NAGPRA;

Objective 2 conduct a comprehensive review of the 1990 deaccession including primary fieldwork documentation related to the deaccessioned objects, relevant accession and deaccession records, and park correspondence files, together with any objects still remaining in those accessions (Note: If grave goods still remain in those accessions, they would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument);

The contractor will provide Effigy Mounds National Monument with two reports.

Item 1, Objective 1: The first report will provide recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

Item 2, Objective 2: The second report will summarize the accession history and assess the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

### **Project Specifications**

The work conducted under this contract will be done in direct coordination with the park management of Effigy Mounds National Monument.

The assessments will be based on examination and evaluation of museum collection objects, together with research of appropriate published and unpublished historical, ethnographic, and legal literature and records, and other pertinent sources of information. The findings of this assessment will be documented and supported by appropriate historical and ethnographic evidence, and identified and cited in sufficient detail as to allow the information to be readily located and reviewed. Any sources that are not readily available, such as unpublished material, will be photocopied and included as appendices or attachments to the final study reports.

Any research necessary is to be performed in accordance with this scope-of-work and under the authority and requirements of the National Historic Preservation Act of 1966 as amended (PL 96-515), the Historic Sites Act of 1935 (PL 74-292), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the National Park Service's Cultural Resources Management Guideline (NPS-28; release no. 4, 1994).

### **Project Deliverables and Schedule**

The study will commence no later than November 1, 1997, with final reports being completed on or before February 1, 1998.

Work is to be preceded by a meeting with the Superintendent Kathleen L. Miller, Effigy Mounds National Monument at a mutually agreed date and time. Superintendent Miller will also serve as Contracting Officer's Representative for this procurement. At this meeting, the contractor will seek answers to any questions that he or she has before commencing work.

The contractor will submit a mid-point progress report to Contracting Officer Representative Kathleen L. Miller. This report will summarize the work accomplished during the time reported upon, and any findings and problems encountered. This report detailing progress of the research will be submitted on December 15, 1997.

The products of the study will be two separate written reports. The first written report (Item 1, Objective 1) will recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

The second written report (Item 2, Objective 2) will summarize the accession history and access the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

The reports should contain photocopies of any relevant unpublished materials used in the study assessment, as well as any photographs taken during the course of assessing collection objects. The written reports will be submitted in both draft and final form. Two copies of the unbound draft reports will be submitted on or before January 2, 1998, and will be clearly marked as draft copies. The review draft final reports should be substantially complete. The draft version of the reports will be reviewed by the National Park Service. The National Park Service will furnish the contractor with review comments on the draft reports by January 15, 1998. The contractor will make any requested changes to the reports and submit it in final form by February 1, 1998. The final reports will be submitted in one camera-ready, reproducible (unbound) original, and seven bound paper copies. The final reports will be submitted in electronic form in *Microsoft Word* (Version 6.0) file format. If possible, all appendices and attachments will be submitted in the same file format.

All reports and correspondence will be submitted to Contracting Officer Florencia M. Wiles. Contracting Officer's Representative Kathleen L. Miller, Effigy Mounds National Monument will recommend final acceptance of the project.

## **Principal Investigator**

The Principal Investigator shall be responsible for all aspects of the research and report writing and production. If the reports are written by someone other than the Principal Investigator, the title pages shall bear the inscription "prepared under the supervision of (name), Principal Investigator." The Principal Investigator shall also prepare, as a minimum, a "Foreword" describing the context of the reports, the significance of the work, and any other background circumstances relating to the manner in which the work was undertaken. The individuals responsible for all or part of the reports shall be credited and directly identified where appropriate.

The Principal Investigator shall lead the research team, and the composition of any such team is at the discretion of the Principal Investigator.





**Appendix B**

**Skeletal Analysis Report Acceptance**



# United States Department of the Interior

NATIONAL PARK SERVICE

MIDWEST ARCHEOLOGICAL CENTER  
FEDERAL BUILDING, ROOM 474  
100 CENTENNIAL MALL NORTH  
LINCOLN, NEBRASKA 68508-3873

IN REPLY REFER TO:

April 7, 1987

S7227(MWAC)

Ms. Shirley J. Schermer  
Office of the State Archaeologist  
Eastlawn  
University of Iowa  
Iowa City, Iowa 52242

Dear Ms. Schermer:

The Midwest Archeological Center has received and accepted the report on "The Analysis of Human Skeletal Remains from the Museum Collection at Effigy Mounds National Monument" by Alton K. Fisher and Shirley J. Schermer. Please submit an invoice for this work as soon as you return the specified collections to Effigy Mounds National Monument.

Thank you for your assistance in getting this project completed.

Sincerely,

F. A. Calabrese  
Chief

*See signature +  
date on  
original invoice  
returned 5/1/87*



**Appendix C**

**Accession 8 Skeletal Remains Loan Information**



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

Effigy Mounds National Monument  
(Park)

05/01/87

(Date)

Dear

We are lending you the items described below for the purpose of examination of cut marks on skull for the period of 4 months (05/01/87-09/01/87)

You are responsible for all items in the list. The utmost caution must be exercised in their use. They should be returned in the same condition they were lent.

LOAN EXTENDED TO 2/28/90.

*Thomas A. Munson*

(Signature)

Thomas A. Munson, Superintendent

(Title)

NO.	OBJECT	VALUE
4924	Human cranial fragment	
4929	Human cranial fragment	
4930 (2 parts)	Human cranial fragment	
4 additional	Human cranial fragment	

All from Accession 8

(Condition reports on back of this sheet must be filled in)

Signature and title of borrower	Name of organization, etc.	Date of receipt
<i>Shirley Schenker</i> Archaeologist / Skeletal Biologist	Office of the State Archaeologist Univ. of Iowa	5-1-87

TO BE FILLED IN BY LENDER ONLY

Date loan is to be returned: (If known)

Conditions of specimens being lent. (Examine each object carefully, describe any damage or weakened condition. Point out any special precautions necessary in handling. Keep a record photograph of important items as a check on condition.)

*Fragmented cranial pieces (8)*

Signature and title of lender <i>James S. David</i> James S. David, Chief, I&RM	Date 5/1/87
---	----------------

TO BE FILLED IN BY THE BORROWER ONLY

Condition of specimens on receipt. (Photograph and report promptly any damage found in shipment.)

*Fragmented cranial pieces (8)*

Signature and title of borrower <i>Stirley J. Scherer</i> Archaeologist/Skeletal Biologist-OSA	Date 5/1/87
--	----------------

TO BE FILLED IN UPON RETURN OF LOAN

Condition of specimens on return. (Examine each object carefully. Describe any new damage. Record new damage by photograph.)

Signature and title of person receiving return of loan	Date
--	------

October 25, 1989

James David  
Effigy Mounds National Monument  
Box K  
McGregor, Iowa 52157

Dear Mr. David:

I visited Effigy Mounds on October 7 of this year to take photographs of the Fire Point Mound Group and Mound 33 and photographs of original maps in the collection to use for a paper I later presented at the Midwest Conference in Iowa City. Although it was a busy day in terms of visitors, the staff members were very helpful and I was able to find what I needed. Please relay my thanks to them. Enclosed is a negative that I was allowed to borrow in order to make a print for our files.

As I was preparing my conference paper, I ran across a loan form for 8 cranial fragments from Accession 8 that I realized were long overdue. I am still hoping to get SEM photographs of the cut marks on these fragments. Would it be possible to extend the loan agreement until February 1990? I apologize for this oversight on my part and am sorry if this will cause any problems at your end. A copy of the original loan form is enclosed.

My thanks again to the Effigy Mounds staff for their assistance.

Sincerely,

Shirley J. Schermer  
Project Director  
Burials Program

11

enclosures



United States Department of the Interior

NATIONAL PARK SERVICE

EFFIGY MOUNDS NATIONAL MONUMENT

RR 1, BOX 25A

HARPERS FERRY, IOWA 52146

(319) 873-3491



IN REPLY REFER TO:

H2017

November 2, 1989

Shirley J. Schermer  
Project Director  
Burials Program  
The University of Iowa  
Iowa City, Iowa 52242

Dear Ms. Schermer:

Enclosed is a copy of the loan from on which we have shown the time extension. I did not think there was a need to rewrite the whole thing. It had crossed my mind a couple of times that those had not come back, but I had not found time to chase them down. It has not caused any problems on our end. We do look forward to seeing what you find on further examination.

Sincerely,

James S. David  
Chief, I&RM

Enclosure



February 28, 1990

James S. David  
Chief, I & RM  
Effigy Mounds National Monument  
R. R. 1, Box 25A  
Harpers Ferry, Iowa 52146

Dear Mr. David:

I am sending, via UPS, the remains listed on the attached loan form. A total of 420 cutmarks ranging in size from 0.22 mm to 1.15 mm were recorded on the cranial fragments of this individual. The number, size, and locations of these cutmarks suggest defleshing, probably as part of the burial treatment. Thanks for your cooperation in allowing further examination of this material.

Sincerely,

Shirley J. Schermer  
Project Director  
Burials Program

11

enclosure



**Appendix D**

**Some Notes: Disposition of Human Remains**



# United States Department of the Interior

NATIONAL PARK SERVICE  
EFFIGY MOUNDS NATIONAL MONUMENT

BOX K  
McGREGOR, IOWA 52157  
(319) 873-2356

IN REPLY REFER TO:

H2017

September 5, 1986

Maria Pearson, Chair  
Iowa Indian Advisory Committee  
Box 98  
Marne, Iowa 51552

Dear Ms. Pearson:

We recently met with State Archeologist Duane Anderson and Mark Lynott of the National Park Service's Midwest Archeological Center. Following that meeting and several conversations, we are now ready to transfer all skeletal material, tentatively identified as human, to Dr. Anderson's office. There the material will be classified as to its human or non-human origin. This may take some time because much of it consists of small fragments.

Once the classification study has been completed all human material that originated outside the boundaries of the Monument will be ready to be returned to the Native American community for reburial. We believe that this will account for about 75% of the total. The State Archeologist's Office will work with you on this.

The remainder of the material, that which originated within the Monument's boundaries, will be returned to this office. We will work with you then toward locating its ultimate repository.

Sincerely,

Thomas A. Munson  
Superintendent

cc:  State Archeologist  
Lynott, MWAC  
Hunter, MWRO

Most of the PX work did not result in archeological collections. The following projects are known (or are assumed) to have resulted in collections:

I would assume that the Ferguson Tract surveys (conducted by Mallam) resulted in artifact collections, but there are no accessions for those materials at MWAC. Since this tract is outside the park, the land owner is the rightful owner of any artifacts (unless he would have donated them to the NPS or Luther College).

The Luther College (Dale Henning) Sny Magill study and rockshelter testing project (PX 6115-7-0223) resulted in collections. MWAC has records from the project, including notes and other materials, but does not have the artifacts. The records are in MWAC Accession 433. These materials have been entered into ANCS. Human bone was recorded during this project, but the report indicates that the materials were not excavated, and were covered with soil after discovery. However, an artifact tabulation in the report lists the human bone fragments, indicating a slight possibility that some fragments may have been collected. According to Supt. Gustin's discussion with Luther College staff, the artifact collection from this PX appears to reside at the lab at Decorah.

During the 1990 Sny Magill looting study (Mounds 62 and 68, PX 6115-0-0117) -- a single artifact (chipped stone debitage) was collected. A letter in the PX file indicates that this artifact and all project records were sent to MWAC 4/11/91. I am still checking on this material.

The other Sny Magill looting study (Mound 43, PX 6115-1-0074, in 1991 resulted in collection of 15 human bone fragments sent to MWAC 12/91. There are part of MWAC accession 569. They are stored with MWAC Accession 35 (a bundle burial) in the vault. This accession has been cataloged.

\*\*\* One of the other purchase orders, although not resulting in collections, is worthy of note. PX 6115-6-0166 was for a study of the human remains in the park collections at EFMO. I note in a quick check of the Table Of Contents for this report that human skeletal remains are recorded for several EFMO accessions at sites within the park. Others are for material from sites outside the park. A letter in the PX file indicates a plan to arrange for repatriation of the non-park materials. I am wondering what happened to the numerous skeletal materials that are from park proveniences (i.e., park accessions 1, 5, 13, 53, 78, 106, 107, 109, and 111). \*\*\*



**Appendix E**

**Skeletal Remains Investigations, 1995-1996**



## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146-9744

IN REPLY REFER TO:

H22 (EFMO)

July 28, 1995

### Memorandum

To: Chief, Midwest Archaeological Center  
From: Superintendent, Effigy Mounds NM  
Subject: NAGPRA Inventory

This memo is to inform you that we have searched our museum collection and have found no other human remains or associated funerary objects. The only items from Effigy Mounds are the bundle burial and incomplete set of human remains currently housed at MWAC.

*Karen Gustin*

Karen Gustin





## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146-9744

IN REPLY REFER TO:

H22 (EFMO)

October 20, 1995

### Memorandum

To: Ethnography and NAGPRA Coordinators, Midwest  
Archaeological Center

From: Superintendent, Effigy Mounds

Subject: Call for Ethnography and NAGPRA Study Proposal

This memo is in response to your call of October 10, 1995 regarding NAGPRA study proposals. Please see attached for pertinent information.

*Karjane*

Effigy Mounds (EFMO), located in northeast Iowa, is a prehistoric Woodland Indian site that dates back to approximately 500 B.C. to 1300 A.D. It contains almost 200 mounds - conical, linear, compound, and effigy. The tribes that historically lived in this area are the Winnebago and the Sac and Fox. None of these groups live adjacent to the park; all are approximately 200-800 miles away. These tribes are the: Sac and Fox Tribal Council in Tama, Iowa; Sac and Fox Tribal Council in Reserve, Kansas; Sac and Fox of Oklahoma Business Council in Stroud, Oklahoma; Wisconsin Winnebago Business Committee and Ho-Chunk Nation in Black River Falls, Wisconsin; and Winnebago Tribal Council in Winnebago, Nebraska.

Because EFMO interprets a prehistoric time period and culture, our Native American remains are culturally unidentifiable. However, these remains and objects, no matter how old, are Native American and should be treated according to the wishes of the Native American tribes that historically lived in this area. Decisions involving the disposition of these remains should be made by these Native American groups, in consultation with EFMO staff.

EFMO has two sets of remains that need consideration. The first is a bundle burial that was retrieved from the Marquette-Yellow River Mound Group about three miles south of park headquarters on a bluff just north of Marquette, Iowa. The bundle burial was excavated and then donated to the park's collection in the 1950s. Since the early 1970s it has been stored at the Midwest Archaeological Center (MWAC) in Lincoln, NE. The other set of remains is a set of bones that was retrieved from Mound 43 of the Sny Magill unit of the park. In 1991, vandalism occurred at this mound; during restoration work, the human remains were recovered. These remains are also stored at MWAC. The park also has approximately 50 items that are on the summary list.

Historically, and before my arrival a year ago, the park complied with NAGPRA regarding contact with tribal representatives. However, the majority of the contact has been by letter, and no real personal relationship has been established with the tribes. Just recently, on October 11 and 12, 1995, formal consultation did take place with David Smith, the NAGPRA Coordinator for the Winnebago Tribe in Nebraska, and I feel that Effigy Mounds is in the process of developing a face to face personal relationship with Mr. Smith as a representative of the tribe. No other attempts have been made to personally meet any of the other representatives mentioned in paragraph one.

This proposal is to fund consultation for summary, inventory and repatriation purposes with the Sac and Fox and Winnebago Tribes in order to comply with NAGPRA and to do justice to the remains that are within Effigy Mounds' collection. Because these tribes are being bombarded with NAGPRA requests (Mr. Smith alone stated that he had received 350 letters regarding Winnebago remains), written communication alone is not enough to satisfy the

requirements of NAGPRA consultation in order to be able to decide the disposition of these remains. Personal contact must be made. As mentioned earlier, none of the tribal contacts are immediately within the local community; all are 200-800 miles away, not very close to one another, and contacting each of them will require considerable travel. This proposal is to fund the travel in order to consult with tribal representatives. The breakdown is as follows:

1. Trip to Ames Iowa to meet with the Liaison to the governor for Indian Affairs in Ames, Iowa combined with trip to Tama, Iowa to consult with the Sac and Fox Tribal Council.

Approximate Cost: \$470.00

2. Trip to Reserve, Kansas to consult with the Sac and Fox Tribal Council.

Approximate Cost: \$500.00

3. Trip to Stroud, Oklahoma to consult with the Sac and Fox Oklahoma Business Council.

Approximate Cost: \$960.00

4. Trip to Black River Falls, Wisconsin to consult with the Ho-Chunk Nation and Wisconsin Winnebago Business Committee.

Approximate Cost: \$50.00

5. Trip to Winnebago, Nebraska to meet the Chairman of the Winnebago Tribal Council and continue consultation with NAGPRA Coordinator.

Approximate Cost: \$520.00

**TOTAL COST OF PROPOSAL: \$2500.00**

1/25/96

----- Message Contents -----

Tom and I talked with Supt. Gustin several times today regarding some NPS collections that appear to be at Luther College (we assumed the park had them, and the park didn't even seem to know that they existed). She has learned that Luther college still has artifacts from at least one of Dale Henning's projects (1987) and they (Luther College) are wondering what to do with them. She asked that I call the folks at Luther and see if they would be willing to do the ANCS on them. She gave me a list of a couple of purchase order ##s and asked that I track them down. I have now accomplished that. She asked for copies and for the ARPA permit for Staeck's work. Apparently, the park's files are pretty poor regarding these projects. I am getting all the stuff together and will send it to her tomorrow. I will keep you (and Supt. Gustin) appraised of what I learn about the Luther College stuff. So far, I believe that Henning's '87 materials (Sny Magill testing and 4 rock shelter testing) and the Staeck ARPA permit stuff are the only outstanding collections.

Jeff

1/29/96

----- Message Contents -----

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

[33] From: Jeff Richner at NP-MWAC 1/29/96 1:30PM (7029 bytes: 1 ln, 1 fl)

To: Karen Gustin at NP--MWR

: Mark Lynott, Vergil Noble, Michelle Watson

Subject: EFMO purchase orders

----- Message Contents -----

Text item 1:

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

[35] From: Michelle Watson at NP-MWAC 2/6/96 10:06AM (755 bytes: 15 ln)

To: Karen Gustin at NP--MWR

Receipt Requested

Subject: note on remains

----- Message Contents -----

Karen,

Hi!! A quick note on that report I phoned you about. On the introduction page, it states: "At the completion of this analysis, all human remains from sites within the Effigy Mounds National Monument will be returned to the Park Service. All human remains from sites outside Monument boundaries will be reinterred by the Office of the State Archaeologist in the state cemetery developed for that purpose."

So, with regards to your question of "Where are the remains?," they should be in collections.

Let me know what you find out. Call if I can help.

Many Thanks.

Adrian Anderson <sup>inside park</sup>  
everything given back  
to OSA ~~and the museum~~  
reentered <sup>the</sup> ~~the~~ <sup>of</sup> ~~the~~ <sup>at</sup> ~~the~~ <sup>Lincoln</sup>  
Two years later there was  
holding human remains  
& returning them to  
our collections

Jan

2/8/96  
Shirley said the remains  
found ~~inside park~~ returned  
to park - <sup>she believes</sup> transferred  
to Lincoln &  
that found outside  
park ~~transferred outside park~~  
buried <sup>at</sup> ~~in~~ <sup>Lincoln</sup> ~~at~~ <sup>Lincoln</sup>  
Cemetery - eastern  
Cemetery in



402-437-5098

memo to  
file: reinter

2939

Amos Achmer →  
interred in  
NA cemetery in  
Dixbrque cemetery

Carnivals in special  
use permit →

2/8/96 - Tom Munson said  
all remains were given to  
OSA - DeMorie

2/8/96

Didn't want to

MUAL wanted some, kept  
some didn't keep others

Munson said -  
Our position was they were  
under our jurisdiction  
MUAL had acc. to some

remains

Bob Nickel

Mark Lynott - Did not want to return  
remains wanted to keep our  
collection. →

2/8/96

Memorandum of Conversation(s)

On 2/8/96, I contacted Shirley Schermer from the Office of State Archaeology in regards to human remains analyzed 9/86. A report was prepared called "The Analysis of Human Skeletal Remains from the Museum Collection at the Effigy Mounds National Monument." This was done under PX-6115-6-0166. Twenty different accessions were analyzed, some retrieved from within the park, and some retrieved outside of the park. All at one time were part of EFMO's collection.

I asked Shirley what happened to the remains retrieved from outside the park. She said that they were reinterred in a state cemetery. She said the remains that were retrieved within the park were analyzed, then returned to Effigy Mounds, and she believes, were transferred to Lincoln.

I then talked with Tom Munson, the previous superintendent. At that time, he said that the park was working with Mark Lynott and Bob Nickel, who wanted to keep the remains in EFMO's collection. Tom's position as superintendent, was that he did not want any human remains under the park's jurisdiction. Tom said that Adrian Anderson (sp?) at the Office of State Archaeology was the person at the time that the park was dealing with. Tom said that everything was given back to the Office of State Archaeology for reinterment, or was sent to MWAC. Tom also mentioned that some items were kept by the OSA under a special use permit because there was some evidence of cannibalism. I did not confirm this with Shirley.

2/9/96

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----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan Dial-Jones

[17] From: Karen Gustin at NP--MWR 2/8/96 3:20PM (2477 bytes, 10 ln, 1 fl)  
To: Michelle Watson at NP-MWAC, Tom Thiessen at NP-MWAC, Jan Dial-Jones at  
NP-MWAC  
Subject: Status of Human Remains

----- Message Contents -----

Text item 1:

Hi to all of you - Attached is a wp file detailing my conversations with Shirley Schermer and Tom Munson. It was a little difficult talking with Tom - I think he was on a cellular phone and it was hard to hear him. I tried to concisely put together his thoughts.

Let me know what you find out. Thanks.

Karen

2/9/96-

According to Michelle, anything deaccessioned before  
NAGPRA was enacted does not require follow-up.

2/10/96

----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan

Yes - I think everything was returned to OSA and all of it is probably interred in one of their state cemeteries.

Karen

3/11/96

Items returned by OSA from WITHIN the park. Returned on 5/1/87

Accession 1, 5, 16, 53, 78, 106, 107, 109, 111

Accession 8 returned on 2/28/90

Asked Shirley for a list of accession numbers of remains collected outside the park and buried in one of the state cemeteries by OSA. (in letter)

Will then compare this w/ the two deaccess. forms we have for 1986 and 1990.

---

Items from OUTSIDE the park - reburied by OSA in eastern <sup>IA</sup> cemetery

Accession 13, 14, 48, 49, 50, 70, 87

Accessions 44 + 51 - not reburied, OSA is to receive addl. material for rebur.

to add. to the accessions  
Karnopp mound Group core pr site 47cr-5 in waste.  
Accession 77 - transferred to State Hist. Society of Wisc. in '87 for reburial in

CONCLUSIONS 3/25/96 -

Acc. 70 is on items collected outside park boundaries

Acc. 72 and Acc. 2 are <sup>items collected outside the park,</sup> deaccessioned from our lists, but don't appear on OSA's list

Acc 95 + Acc 132 - items collected outside the park + deacc. according to our files, but OSA does not have it listed on any of their lists, either inside or outside

Acc 110 - noted as item collected w/in the park + deacc. by us,

## Deaccession Issue

- 1) 11/1971 loaned to MWAC see 28 pp. yellow pp.  
Accessioning + cataloging (no return signature/date)  
on loan form.  
In closed file in "Loan of Specimens" file
- 2) 5/87 portions of Access 8 to Office of State Archeo. Uof IA  
returned to EFMO 3/90 (in closed file H2017)
- 3) 4/1987 MWAC reviewed report by State Archeo.  
obj. returned to park
- 4) letters (NPS) regarding consultations pre NAGPRA  
(11/1986) and disposition of human remains
- \* 5) 10/1986 - 5/1987 loan of human remains to  
State Archeo. Note list of Access. are included  
on deacc-list. (2 copies of loan form in file)
- 6) 11/1986 letter from State Archeo w/changes (addition  
to loan items - human remains)  
- No indication on loan form whether materials were  
returned (?) (response)
- 7) 12/1986 letter from Maria Pearson to EFMO  
Supt re human remain-
- 8) letter 9/86 and D3-1 for analysis work done  
by State Archeo.
- 9) 8/86 letter from EFMO Supt to Maria Pearson  
re docs
- 10) could be that ~~the~~ human remains were reburied  
and deaccessioned after the fact.

11) WHITE PAPER 5/1985 re: disposition of  
human remains

CMR for 86 and 90 should have deaccess. info



THE UNIVERSITY OF IOWA

MAR 11 1996



March 8, 1996

Karen Gustin, Superintendent  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, IA 52146

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	KS
<input type="checkbox"/> Chief, I, VS & P	
<input type="checkbox"/> Chief, Maint.	
<input type="checkbox"/> Admin. Mgr.	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Admin. Clerk	

Dear Ms. Gustin:

I enjoyed meeting you yesterday. As you requested, I have enclosed copies of various correspondence concerning our analysis of the human remains from Effigy Mounds National Monument in 1986 and 1987, as well as a copy of the loan form with James David's signature acknowledging the receipt of the remains we were to return to Effigy Mounds, dated May 1, 1987. I have included copies of the inventories of the accessions that were returned. I looked through a number of files but could not find correspondence that the remains we returned to EMNM were transferred to Lincoln. I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the National Park Service did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln.

I hope this information will be helpful. Please call if you have any questions about the enclosed material.

Sincerely,

A handwritten signature in cursive script that reads "Shirley J. Schermer".

Shirley J. Schermer  
Burials Program Director



## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, Iowa 52146-7519

IN REPLY REFER TO:

H22 (EFMO)

March 12, 1996

Shirley Schermer  
Burials Program Director  
Office of the State Archaeologist  
303 Eastlawn  
Iowa City, Iowa 52242-1411

Dear Shirley:

I too enjoyed meeting you last week. Thank you for providing me with copies of the correspondence you had on file concerning the human remains from Effigy Mounds in 1986 and 1987. Could you send me a list of the accession numbers for the remains that were collected outside the park and buried in the state cemetery? I am trying to make the accession numbers you have correspond to the accession numbers we have in our files for remains collected inside and outside of the park.

I appreciate your help.

Sincerely,

Karen Gustin  
Superintendent

THE UNIVERSITY OF IOWA

MAR 22 1996

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	KG
<input type="checkbox"/> Chief, I. VS & P	
<input type="checkbox"/> Chief, Maint.	
<input type="checkbox"/> Admin. Mgr.	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Admin. Clerk	
<input type="checkbox"/>	
<input checked="" type="checkbox"/> OFFICIAL FILES	



March 20, 1996

Karen Gustin, Superintendent  
 Effigy Mounds National Monument  
 151 Hwy. 76  
 Harpers Ferry, IA 52146

Dear Karen:

According to our records, accession numbers 13, 14, 44, 48, 49, 50, 51, 70, 77, and 87 came from sites outside of the Effigy Mounds National Monument property boundaries and were reburied by OSA in our eastern cemetery except for accessions 14, 51, and 77. Accession 14, 13AM59, and Accession 51, 13WH35, have not yet been reburied, because we received additional material from these sites from other repositories just prior to the reburial of the other remains. The decision was made at the time to postpone reburial of the remains from these two accessions until the additional material was ready for reburial. The remains from these two sites are included in our NAGPRA inventories. Accession 77, Karnopp Mound Group, came from site 47-Cr-5 in Wisconsin. The human remains from this accession were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state.

Accession numbers 1, 5, 8, 16, 53, 78, 106, 107, 109, and 111 came from inside the EMNM boundaries and were returned to EMNM at the conclusion of our analysis and write-up. Let me know if you need more information.

Sincerely,

Shirley J. Schermer  
 Burials Program Director

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[20] From: Karen Gustin at NP--MWR 3/25/96 1:05PM (1955 bytes: 47 ln)  
To: Michelle Watson at NP-MWAC  
Subject: EFMO Accessions

----- Message Contents -----

Michelle - I have received more information from OSA regarding accessioned items collected from within and outside the park, their disposition, etc. Here are my findings:

These are notes from OSA files:

Items returned by OSA from within the park - returned on 5/1/87  
Accession numbers 1,5,16,53,78,106,107,109,111  
Accession 8 returned on 2/28/90

Items collected from outside the park, reburied by OSA in an eastern IA cemetery.  
Accession 13,14,48,49,50,70,87  
Accessions 44 and 51 - not reburied, OSA is to receive addl material to add to reburial  
Accession 77 - Karnopp Mound Group came from site 47CR5 in Wisconsin, transferred to State Historical Society in Wisconsin in 87 for reburial in Wisconsin.

After comparing the above notes, which came from Shirley Schermer, with EFMOs deaccession records, my findings are:

Acc 72 and Acc 2 are items collected outside the park and deaccessioned from our collection, but they do not appear on OSA's list of items collected from outside the park.

Acc 95 and Acc 132 are items collected outside the park and deaccessioned according to our files, but OSA does not have them noted on any of their lists as coming from inside or outside the park.

Acc 110 are items collected within the park and deaccessioned by us, but they are not on OSA's list as items returned to the park.

This should account for all the accession numbers on OSA's list and our deaccession records. As we talked on the phone, we are unsure of the location of the items collected from within the park and deaccessioned from our collection in July 1990.

Let me know if we need to do anything else.

Karen

(b) (6), (b) (7)(C) I'd like this  
filed w/ other copy of  
letters from Shirley  
Schermer, our  
deacc. records, etc,  
but not sure which  
file code to use.

TMS -

R

---

----- Message Contents -----

5/9/96

Jeff and Karen,

As time goes on, we will probably continue to have this type of situation occur, especially as museums finish going through their collections to finish their NAGPRA inventory responsibilities.

I am assuming that there is no "cultural affiliation" tag that can be placed on either the remains or the site they came from. If so, then we will have to amend the "culturally unidentifiable" list that was submitted on behalf of EFMO to the DCA (who is responsible for transmitting it to the NAGPRA Review Committee, who is responsible for reviewing such lists and making recommendations as to disposition to the Sec. of the Interior).

Since the remains came from the park, they probably should be accessioned, at which time we can get all the relevant description, catalog numbers, etc. This information will then have to go on to the NAGPRA inventory of culturally unidentifiable Native American human remains for EFMO and then be transmitted to the DCA. Naturally, this all has to happen ASAP, since the DCA is getting ready to send these lists to the review committee (as soon as all the "culturally affiliated" lists get mailed to the tribes by May 16).

Jeff, I would recommend that we pull together the information to put into the data categories required for the inventory. We'll have to leave the NPS accession numbers blank for now, unless Carolyn has any ideas there. Everything else required for the data categories should be readily accessible from the material at MWAC or the archeology report(s). We can forward a copy of EFMO's current inventory if anyone doesn't have it (to see what information is required).

We can work with the park, and Carolyn if necessary, to pull the amendment together. But, I don't want to be presumptuous and just do it, with out Karen's (and everyone else's) concurrence.

If none of this makes sense, give me a call.

Mike

---

Subject: Additional human remains from EFMO  
Author: Jeff Richner  
Date: 5/7/96 3:24 PM

Joel White from Luther College in Iowa called me today to report on the contents of a collection from EFMO he is examining. He started by calling EFMO, and they advised him to call MWAC. Superintendent Karen Gustin, Joel, and I had discussions about this collection some months back. Prior to those discussions, the location of these artifacts had been unknown to the NPS. I advised Karen on January 29, 1996 (via a cc:Mail message with attached file) that this collection might contain human remains.

In going through the 1988 collection, White recently came across two lots from the same excavation unit either marked "human remains" or so identified by Luther staff. They were collected on May 26, 1988 by archeologist Dale Henning and a crew of students from Luther College from the Sny Magill Unit of the park. Specific provenience is Unit 88N Level 2 and from wall/profile cleaning of the same unit. White indicates that there are 18 fragments along with some bone "dust." The fragments, which appear to be cranial elements, weigh 6.7 grams. The

material was collected as part of a project funded through 1987 MWAC Purchase Order 6115-7-0023. Fieldwork was conducted the following spring at the Sny Magill Unit. The report was submitted to MWAC in 1989 and is entitled "Archeological Survey of the Sny Magill Unit and Testing of Four Rockshelters, Effigy Mounds National Monument, Iowa." The report was written by Dale Henning. According to this report, Unit 88N was a .5 meter-wide trench positioned on a low linear rise which appears to connect the east edge of conical mound 91 with the southeast edge of linear mound 89. Testing at this location was terminated when human cranial fragments were discovered in the south wall profile.

The notes and records for this project were transferred to MWAC from Luther College and have been accessioned and entered into ANCS. However, the artifact collection has resided at Luther College since the completion of fieldwork. The artifacts have not been entered into the ANCS. Given the recent "rediscovery" of the collection, I assume that these human remains were not among the materials reported by the park for NAGPRA. Further, they are not part of the "deaccessioned" EFMO collections that have been the subject of recent discussions.

I told White that I would alert the park Superintendent and the appropriate NPS NAGPRA Coordinator to this discovery and asked him to maintain the collection at Luther until advised otherwise.

Jeff Richner

## ----- Message Contents -----

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Jeff Richner

Jeff - Thanks for seeing to the above. As you probably know, I am on (b) (6), (b) (7)(C) leave until June 17. When I return, I want to try to tie up these loose ends. I'll probably contact you then, and we can discuss. Again, thanks.

Karen



----- Message Contents -----

5/13

Future action, scheduling, etc. is completely up to you and Karen. I just wanted everyone to know what I had learned about the collection. As a follow-up to your recent cc:mail message, the paper records for the subject project have already been accessioned, so it would seem to me that the artifact collection should be subsumed under that existing accession.

Jeff

----- Reply Separator -----

Subject: Re: Additional human remains from EFMO  
Author: Michael J Evans at NP-MISS  
Date: 05/12/96 05:22 PM

5/12/96

Jeff and Karen,

I recommend we wait until Karen's back on duty, and then pursue this one.

Mike

*Jeff Richner to  
Michael Evans*

*5/11/96*

-----

Joel White from Luther College in Iowa called me today to report on the contents of a collection from EFMO he is examining. He started by calling EFMO, and they advised him to call MWAC. Superintendent Karen Gustin, Joel, and I had discussions about this collection some months back. Prior to those discussions, the location of these artifacts had been unknown to the NPS. I advised Karen on January 29, 1996 (via a cc:Mail message with attached file) that this collection might contain human remains.

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Karen

5/24/96

Mardi,

You may want to tap into the expertise at MWAC relative to the cataloging of the Orr "archives." While there may be need for an archivist for the project, it would seem that there is also a need for someone with an archeological background to help organize those materials for cataloging.

Jeff

## List of Purchase Orders for EFMO archeological projects:

#	Description	Vendor	Date
4970L10660	C14 samples		1971
PX 6115-5-0100	Ferguson Survey 1	Luther Coll.	6/75
PX 6115-0-135A	Ferguson Survey 2	Luther Coll.	9/80
PX 6115-6-0166	Skeletal Analysis	U. Iowa	9/86
PX 6115-6-0201	Aerial Photos	Aerial Serv.	9/86
PX 6115-7-0214	Mapping	Chuck's Surv.	9/87
PX 6115-7-0223	Sny Magill & rocksh.	Luther Coll.	9/87
PX 6115-7-0224	Geomorphology	Iowa DNR	9/87
PX 6115-7-0225	Land Use History	Oneota Ent.	9/87
PX 6115-8-0142	Constr. map grid	Luther Coll.	5/88
PX 6115-8-0143	S. Magill mag. survey	Medynski	5/88
PX 6115-0-0117	S. Magill looting	Luther Coll.	8/90
PX 6115-1-0076	S. Magill looting	Luther Coll.	7/91

Most of the PX work did not result in archeological collections. The following projects are known (or are assumed) to have resulted in collections:

I would assume that the Ferguson Tract surveys (conducted by Mallam) resulted in artifact collections, but there are no accessions for those materials at MWAC. Since this tract is outside the park, the land owner is the rightful owner of any artifacts (unless he would have donated them to the NPS or Luther College).

The Luther College (Dale Henning) Sny Magill study and rockshelter testing project (PX 6115-7-0223) resulted in collections. MWAC has records from the project, including notes and other materials, but does not have the artifacts. The records are in MWAC Accession 433. These materials have been entered into ANCS. Human bone was recorded during this project, but the report indicates that the materials were not excavated, and were covered with soil after discovery. However, an artifact tabulation in the report lists the human bone fragments, indicating a slight possibility that some fragments may have been collected. According to Supt. Gustin's discussion with Luther College staff, the artifact collection from this PX appears to reside at the lab at Decorah.

During the 1990 Sny Magill looting study (Mounds 62 and 68, PX 6115-0-0117) – a single artifact (chipped stone debitage) was collected. A letter in the PX file indicates that this artifact and all project records were sent to MWAC 4/11/91. I am still checking on this material.

The other Sny Magill looting study (Mound 43, PX 6115-1-0076) in 1991 resulted in collection of 15 human bone fragments sent to MWAC 12/91. They are part of MWAC accession 569. They are stored with MWAC Accession 35 (a bundle burial) in the vault. This accession has been cataloged.

\*\*\* One of the other purchase orders, although not resulting in collections, is worthy of note. PX 6115-6-0166 was for a study of the human remains in the park collections at EFMO. I note in a quick check of the Table Of Contents for this report that human skeletal remains are recorded for several EFMO accessions for sites within the park. Others are for material from sites outside the park. A letter in the PX file indicates a plan to arrange for repatriation of the non-park materials. I am wondering what happened to the numerous skeletal materials that are from park proveniences (i.e., park accessions 1, 5, 16, 53, 78, 106, 107, 109, and 111). \*\*\*



**Appendix F**

**Skeletal Remains: Luther Collections**

1/25/96

----- Message Contents -----

Tom and I talked with Supt. Gustin several times today regarding some NPS collections that appear to be at Luther College (we assumed the park had them, and the park didn't even seem to know that they existed). She has learned that Luther college still has artifacts from at least one of Dale Henning's projects (1987) and they (Luther College) are wondering what to do with them. She asked that I call the folks at Luther and see if they would be willing to do the ANCS on them. She gave me a list of a couple of purchase order #s and asked that I track them down. I have now accomplished that. She asked for copies and for the ARPA permit for Staeck's work. Apparently, the park's files are pretty poor regarding these projects. I am getting all the stuff together and will send it to her tomorrow. I will keep you (and Supt. Gustin) appraised of what I learn about the Luther College stuff. So far, I believe that Henning's '87 materials (Sny Magill testing and 4 rock shelter testing) and the Staeck ARPA permit stuff are the only outstanding collections.

Jeff



1/29/96

----- Message Contents -----

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner

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2/9/94

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----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan Dial-Jones

2/9/94

---

----- Message Contents -----

Michelle Watson asked me to contact you today to assure you that the additional human remains discussed in the Fisher and Schermer report are definitely not at MWAC. What a mess, huh?

Jan

Yes - I think everything was returned to OSA and all of it is probably interred in one of their state cemeteries.

Karen

---

----- Message Contents -----

5/9/96

Jeff and Karen,

As time goes on, we will probably continue to have this type of situation occur, especially as museums finish going through their collections to finish their NAGPRA inventory responsibilities.

I am assuming that there is no "cultural affiliation" tag that can be placed on either the remains or the site they came from. If so, then we will have to amend the "culturally unidentifiable" list that was submitted on behalf of EFMO to the DCA (who is responsible for transmitting it to the NAGPRA Review Committee, who is responsible for reviewing such lists and making recommendations as to disposition to the Sec. of the Interior).

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material was collected as part of a project funded through 1987 MWAC Purchase Order 6115-7-0023. Fieldwork was conducted the following spring at the Sny Magill Unit. The report was submitted to MWAC in 1989 and is entitled "Archeological Survey of the Sny Magill Unit and Testing of Four Rockshelters, Effigy Mounds National Monument, Iowa." The report was written by Dale Henning. According to this report, Unit 88N was a .5 meter-wide trench positioned on a low linear rise which appears to connect the east edge of conical mound 91 with the southeast edge of linear mound 89. Testing at this location was terminated when human cranial fragments were discovered in the south wall profile.

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Jeff Richner

5/2/96

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Jeff Richner

Jeff - Thanks for seeing to the above. As you probably know, I am on (b) (6), (b) (7)(C) leave until June 17. When I return, I want to try to tie up these loose ends. I'll probably contact you then, and we can discuss. Again, thanks.

Karen



----- Message Contents -----

5/13

Future action, scheduling, etc. is completely up to you and Karen. I just wanted everyone to know what I had learned about the collection. As a follow-up to your recent cc:mail message, the paper records for the subject project have already been accessioned, so it would seem to me that the artifact collection should be subsumed under that existing accession.

Jeff

Reply Separator

Subject: Re: Additional human remains from EFMO  
Author: Michael J Evans at NP-MISS  
Date: 05/12/96 05:22 PM

5/12/96

Jeff and Karen,

I recommend we wait until Karen's back on duty, and then pursue this one.

Mike

*Jeff Rickner to:  
Michael Evans*

*5/9/96*

-----

Joel White from Luther College in Iowa called me today to report on the contents of a collection from EFMO he is examining. He started by calling EFMO, and they advised him to call MWAC. Superintendent Karen Gustin, Joel, and I had discussions about this collection some months back. Prior to those discussions, the location of these artifacts had been unknown to the NPS. I advised Karen on January 29, 1996 (via a cc:Mail message with attached file) that this collection might contain human remains.

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Karen

5/24/96

----- Message Contents -----

Mardi,

You may want to tap into the expertise at MWAC relative to the cataloging of the Orr "archives." While there may be need for an archivist for the project, it would seem that there is also a need for someone with an archeological background to help organize those materials for cataloging.

Jeff



**Appendix G**  
**Deaccession Lists, 1986, 1990**

Acc. 70

4083	4161	4268	4315	4350	4379	4494
4109	4162	4279	4316	4351	4382	4495
4110	4170	4290	4318	4352	4383	4497
4111	4171	4291	4319	4353	4390	4499
4112	4172	4292	4320	4354	4393	4501
4113	4173	4293	4322	4355	4398	4506
4114	4187	4294	4323	4356	4399	4526
4115	4188	4295	4325	4357	4444	4527
4116	4190	4296	4326	4358	4445	4531
4117	4191	4298	4327	4359	4446	4532
4118	4210	4299	4328	4360	4448	4533
4119	4212	4300	4329	4361	4455	4538
4120	4213	4301	4333	4362	4457	4540
4121	4215	4302	4334	4363	4464	4543
4122	4218	4303	4335	4364	4468	4547
4125	4219	4304	4338	4365	4472	4550
4126	4221	4305	4339	4366	4473	
4129	4223	4306	4340	4367	4474	
4130	4224	4307	4341	4368	4475	
4132	4227	4308	4342	4369	4478	
4134	4230	4309	4343	4370	4479	
4135	4236	4310	4344	4371	4480	
4137	4242	4311	4345	4372	4483	
4138	4246	4312	4346	4373	4489	
4140	4249	4313	4347	4376	4490	
4147	4252	4314	4348	4377	4493	

Acc. 13 - 341, 342

Acc. 72 - 591

Acc. 87 - 515-577, 581

Acc. 49 - 2996, 2997, 3026, 3087, 3132, 3021, 3115

Acc. 48

5817	5855	5866
5818	5857	5868
5821	5858	5869
5827	5859	5871
5848	5860	5872
5849	5861	
5850	5863	
5851	5864	
5852	5865	

Acc. 2  
514

Also deaccessioned are uncataloged portions of Accession numbers 14, 44, 48, 50, 51, and 77.

Deaccessioned catalog numbers - 7/30/90

Acc. 8

4846	5032	4789	4962	4769	5051	5636	5076
5481	5231	5042	4961	4861	5056	4963	5001
4820	5477	4920	4955	5017	5394	5393	4959
5589	5124	5047	4956	5221	5516	4960	4928
4929	4972	5099	4953	5091	5479	5100	4849
4924	4971	5434	4951	4692	4927	4594	4816
4930	4970	5072	4952	5000	4954	5236	4800
4980	5127	4939	4950	5089	5190	4889	4790
4679	5200	4925	4949	5041	4600	4822	
4593	5227	4715	4947	5090	4870	4817	
5028	5097	5189	4946	5088	5112	4806	
5474	5038	5188	4945	5555	5113	4801	
5475	4788	5707	5105	4606	5114	4884	
5473	4791	5362	5106	5341	5115	4958	
5476	4795	5220	5179	4638	5116	5014	
5482	5153	5239	4659	4592	5117	4878	
5484	4633	5695	5101	4859	5118	5002	
5483	5147	5430	5379	5025	5122	5104	
5478	5021	4885	5102	5034	5119	5109	
5471	5156	4998	5018	5033	4965	5148	
5486	4694	5594	5582	5020	4867	5213	
5121	4981	5520	5187	5019	4964	5558	
5586	5093	5026	5180	5016	4779	5706	
5096	4691	4869	5181	5013	4773	5694	
4966	4685	4696	5132	5012	4776	5317	
5225	4686	5494	5219	4619	5378	5212	
5206	5233	5108	5107	5123	4848	5144	
4940	5232	5427	5103	5480	4847	5111	
5425	5428	5426	4775	5098	4845	5077	

Acc. 16

642	638	1656	648	652	656
641	637	645	649	653	657
640	643	646	650	654	
639	644	647	651	655	

Acc. 95

1940 1941

Acc. 132 - 7249, 7331

Acc. 5 - 3929

Acc. 70

4551

Also deaccessioned are uncataloged portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107, 109, 111, and 132.





**Appendix H**

**Skeletal Remains Analyzed, Office of the State Archeologist**



# United States Department of the Interior

## NATIONAL PARK SERVICE

EFFIGY MOUNDS NATIONAL MONUMENT

BOX K

McGREGOR, IOWA 52157

(319) 873-2356

IN REPLY REFER TO:

H2017

October 7, 1986

Ms. Shirley Schermer  
Office of the State Archaeologist  
Eastlawn Building  
University of Iowa  
Iowa City, IA 52242

Dear Ms. Schermer:

Enclosed are two copies of our loan form for the human remains that you picked up. There are two places on it that need your, or someone from your office, signature. One is on the front of the form, the other is on the back where you indicate the condition upon receipt. If you would please sign these and return one copy to us, the other is for your records. This will take care of the paper end of things.

If you are needing any more information on the various accessions or any other items please give me a call and I will be of whatever help I can.

Sincerely,

James S. David  
Chief, I&RM

Enclosure



IN REPLY REFER TO:

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

Effigy Mounds National Monument  
(Park)

10/7/86

(Date)

Dear

We are lending you the items described below for the purpose of meeting  
the requirements of P.O. PX6115-6-0166 for the period of  
seven months (October 1, 1986 - May 1, 1987).

You are responsible for all items in the list. The utmost caution must be  
exercised in their use. They should be returned in the same condition they were lent.

Except as provided in the above mentioned P.O. from the Midwest  
Archeological Center.

*Thomas A. Munson*

(Signature)

Thomas A. Munson, Superintendent

(Title)

NO.	OBJECT	VALUE
341, 342 (Accession 13)	Human Cranium and Mandible	
515-577, 581, 591 (Accession 87)	Bone	
637-644, 1656 (Accession 16)	Bone	
3929 plus two 3"x3½" boxes (Accession 5)	Bone (Mound 7 Sny Magill)	
Accession 1 - nine sacks	Bone from Mound 55 (numerous bones marked AH47)	
Accession 77 - one 7½"x11½" box	Bone	
Accession 50 - one skull, one sack with 3 bones, one sack fragments		
Accession 53 - twelve sacks fragments, one sack 29 fragments	Bone (Mound 18)	
Accession 107 - one sack with 21 fragments	Bone (Mound 39)	
Accession 51 - one skull plus approximately 30 fragments	Bone	
Accession 111 - one sack with 5 fragments	Bone (Mound 41)	
Accession 109 - twenty-four sacks	Bone (Mound 38)	
- Accession 78 - <del>Five bones (2-3½"x3", 2-3½"x5", 1-7½"x11½")</del> plus one sack with <del>80 fragments</del> Bone (Mound 12) <del>four sacks (just bone frag. 3" long</del>		
Accession 106 - one box (10½"x17½"x5" deep)	Bone (Mound 33)	
Accession 14 - three boxes (15½"x8½", 11½"x8", 10"x13") plus one sack (Elephant Site)	Bone	
Accession 44 - one box (11½"x17")	Bone	

(Plus items listed on attached sheets)

(Condition reports on back of this sheet must be filled in)

Signature and title of borrower <i>Shirley Schermer</i>	Name of organization, etc. <i>Office of State Archaeologist</i>	Date of receipt <i>11/13/86</i>
--	--	------------------------------------

TO BE FILLED IN BY LENDER ONLY

Date loan is to be returned: (If known) May 1, 1987

Conditions of specimens being lent. (Examine each object carefully, describe any damage or weakened condition. Point out any special precautions necessary in handling. Keep a record photograph of important items on condition.)

The vast majority of the bones were fragmentary and in poor condition.

Catalog numbers  
Bone  
5863-5866

Signature and title of lender <i>James S. David</i> James S. David, Chief, I&RM	Date 10/7/86
---	-----------------

TO BE FILLED IN BY THE BORROWER ONLY

Condition of specimens on receipt. (Photograph and report promptly any damage found in shipment.)

The vast majority of the bones were fragmentary and in poor condition.

Signature and title of borrower <i>Sheila J. Schuman</i> - Archaeologist/Skeletal Biologist	Date 11/13/86
--	------------------

TO BE FILLED IN UPON RETURN OF LOAN

Condition of specimens on return. (Examine each object carefully. Describe any new damage. Record in photograph.)

Signature and title of person receiving return of loan <i>James S. David</i> Chief I&RM	Date 5/1/87
--	----------------

poor condition.

3 or weakened or  
important items as

Catalog numbers 2996, 2997, 3026, 3087-3105, <sup>3106</sup> 3107-3132 (Accession 49)  
Bone

Catalog numbers 5817, 5818, 5821, 5827, 5848-5852, 5855, 5857-5861,  
5863-5866, 5868, 5869, 5871, 5872 (Accession 48) Bone

Accession 48 - two skulls, one sack of 5 fragments, one sack  
many fragments Bone

NOTE: Material from accession numbers 1, 5, 8, 16, 53, 78, 106, 107,  
109, and 111 are from sites within the monument. Those and any  
non-human bones from the other accessions are all that are  
required to be returned to the monument.

*See enclosed  
inventories of these  
accessions*

*From our report  
prepared for EAMM -  
OSA CCR 245*

ion 8 catalog numbers

- 21  
23
- ✓ 4594
  - ✓ 4600
  - ✓ 4606
  - ✓ 4633
  - ✓ 4638
  - ✓ 4659 + 4679
  - ✓ 4685
  - ✓ 4686 < 2 //
  - ✓ 4691
  - ✓ 4692 < 5 III
  - ✓ 4696 + 4704
  - ✓ 4715
  - ✓ 4769
  - ✓ 4773
  - ✓ 4775 < 2 //
  - ✓ 4776
  - ✓ 4779 < 2 //
  - ✓ 4788
  - ✓ 4789
  - ✓ 4791
  - ✓ 4795 < 2 //
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  - ✓ 4801
  - ✓ 4806
  - ✓ 4817
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  - ✓ 4822
  - ✓ 4845
  - ✓ 4846
  - ✓ 4847
  - ✓ 4848 < 4 III
  - ✓ 4849
  - ✓ 4859
  - ✓ 4861 < 2 //
  - ✓ 4867
  - ✓ 4869
  - ✓ 4870
  - ✓ 4878
  - ✓ 4884
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  - ✓ 4889
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  - ✓ 5586
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  - ✓ 5636
  - ✓ 5695
  - ✓ 5707
- A 8
- one sack skull fragments

on 70 catalog numbers

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**Appendix I**

**Correspondence, Devil's Den Bundle Burial**



United States Department of the Interior

OCT 20 1994

NATIONAL PARK SERVICE

Midwest Archeological Center  
Federal Building, Room 474  
100 Centennial Mall North  
Lincoln, Nebraska 68508-3873

AREA DISTRIBUTION	
TO	DATE
✓ Superintendent	
✓ [illegible]	
✓ [illegible]	
✓ [illegible]	
✓ [illegible]	

IN REPLY REFER TO:

October 18, 1994

H2215 (MWAC)

Dr. William Green,  
State Archaeologist  
Office of State Archaeologist, Eastlawn  
University of Iowa  
Iowa City, Iowa 52242

Dear Dr. Green:

Per our telephone conversation on October 17, enclosed are copies of the field notes. As I explained, we have a bundle burial in our holdings and have very little documentation for it. Through written correspondence (copies enclosed), Mr. Robert Bray fairly confidently identified the enclosed copied field notes as relating to the bundle burial we have. He was unclear, however, about the name Devils Den Mound Group, and did not recall having excavated it with individuals named Blackwell, Kile, and Thompson, the other names that appear on the field notes. The bundle burial is uncataloged. At the top of page one of the field notes, you will find the location of the Devils Den mounds stated as SE NW S15, T95N, R3W, Clayton County, north of Marquette, Iowa.

We would appreciate any information you might have pertaining to the location of the Devils Den excavations, and/or the bundle burial. The burial, incidentally, is partially encased in plaster and was apparently exhibited at Effigy Mounds National Monument some time in the past. The burial, sans any records, was transferred to the custody of the Midwest Archeological Center years ago, but remains part of the Park's museum collection. The burial must be included on the Park's NAGPRA inventory, which gives us the impetus to locate as much information about the burial as possible.

Thank you for your cooperation and assistance in this matter. If you have any questions, please contact me at telephone (402) 437-5392.

Sincerely,

Michelle L. Watson

Enclosures

bcc:  
T Thiessen, MWAC  
R Nickel, MWAC  
Superintendent, EFMO

*Bundle Burial  
to at MWAC*

October 12, 1994  
Columbia Mo 65201

Dear Michelle,

The excavation field notes you sent me October 3 were made by me while I was stationed at EFMO in 1957 or 1958. I jacketed the bundle of bones, and they were part of an exhibit in the museum at EFMO for several (?) months prior to the time that all such exhibits were removed from NPS areas. I recognize the notes for sure but do not remember that I had any assistance (Blaskwell, Kyle, Thompson) in the project. Neither do I remember the term "Devil's Den" was used with reference to the place. I did not name it but do remember the exact location of the site. The location was derived from a USGS Quadrangle map.

Yours Sincerely,  
Robert (Bob) Bray



# United States Department of the Interior

NATIONAL PARK SERVICE  
Midwest Archeological Center  
Federal Building, Room 474  
100 Centennial Mall North  
Lincoln, Nebraska 68508-3873

IN REPLY REFER TO:

October 3, 1994

H2217 (MWAC)

Robert Bray  
(b) (6), (b) (7)(C)  
Columbia, Missouri 67501

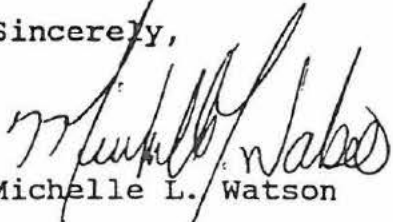
Dear Mr. Bray:

Per our telephone conversations on September 29 and 30, enclosed are copies of the field notes I told you about. As I explained, we have a bundle burial in our holdings and have no documentation about it. We do not know the site it is from, nor when or by whom it was excavated. We are attempting to determine if these notes relate to the bundle burial, which is partially encased in plaster and was apparently exhibited at Effigy Mounds some time in the past. Page four of these notes identifies a bone bundle from Mound #1 of Devils Den Mound Group. We would like to know if this bone bundle is the bundle burial we have, and hope the enclosed notes might refresh your memory of the Devils Den work or the burial that was once exhibited at Effigy Mounds.

We were very sorry to learn about Wil Logan ourselves, and thought you might want to know. We look forward to hearing from you. Please do not hesitate to telephone us if you should have questions at 402-437-5392. If I am not in, please ask to speak with Tom Thiessen.

Thank you for your cooperation and time.

Sincerely,

  
Michelle L. Watson

Enclosure

MWATSON/lz/LOGAN/10/3/94

# FILE COPY

H14

10/21/94

## Memorandum

To: Park Files, Effigy Mounds NM  
From: Administrative Clerk, (b) (6), (b) (7)(C)  
Subject: Bundle Burial formerly on exhibit at EFMO

During October, 1994 I did some research in regards to the bundle burial that was formerly on display at Effigy Mounds National Monument. This research, I hope will clear up some of the confusion surround the acquisition, exhibition, and disposition of the bundle burial that came to be known by park employees as "Charlie". Copies of all referenced maps, memorandum, etc. are attached.

The paper trail starts with reference in Ellison Orr's manuscript, Volume XII. Orr mentions a group of three conical mounds - Marquette-Yellow River Mound Group No. 2. - that he did a reconnaissance survey of in 1907 and again in 1915 with Charles F. Pye. These mounds were located on a prominent point overlooking the Mississippi River in Clayton county. Orr does not list the section and township numbers but he does show the demarcation of the Basil Giard claim as being slightly south of the three conicals. Comparing Orr's drawing to present day maps this would place the mound group in Section 15, T95N, R3W, approximately 2 miles south of present day EFMO boundaries. Orr lists the prominent point as being "Prospect Point".

In the archeological files I found excavation notes by Robert T. Bray. In the folder labeled "Marquette-Yellow River Mound Group #2 - Excavation notes are seven sheets of fine-lined graph paper with pencil notes and sketches. The "first sheet" says simply "Notes on the excavation of 2 conical mounds on bluff just north of Marquette." The "second sheet" (labeled page one) is a sketch of a mound. Important notes on this include the first reference to the mounds being called "Devils Den Mound Group". Bray also lists the legal description as SE, NW, S15, T95N, R3W, Clayton County. The notes also indicate the excavation was done by Bray, Blackwell (Ralph), Kile (Robert), and Thompson (Dave??) on June 10, 1957.

Reference is made on page three of the principle owner as Milo Moody, McGregor, IA with no previous record located.

The last three pages give information on Mound No. 2 excavation. Significant notes include the drawing of a bone bundle in the mound excavation drawing. The mound is also noted as being part of Devils Den Mound Group. The excavation took place on June 19-21, 1957; again by Bray, Blackwell, Kile, and Thompson. The last page notes the bone bundle consisting of 31 long bones came from square 2, DD41" (top). The bone bundle was also jacketed with a plaster cast and removed to the monument headquarters.

EFMO's accession book was scanned to see whether any of the above information was present in any of the accessions. Accession 12 listed an acquisition date of June 20, 1957. Further investigation revealed that archeological material from a mound excavation was accession into the monument collection. The material was received from Robert T. Bray and Milo Moody as a gift.

The accession folder for Accession 12 was then pulled to see if any other information was available. The Accession Receiving Report lists one bundle burial excavated from a conical mound in the "Devils Den Mound Group". It also mentions the Marquette-Yellow River Mound Group No. 2 as gives the site number as 13CT50.

Conversations with three long-term employees yielded some substantiation to Charlie's original resting place. Maintenance seasonal Tim Mason (1979), Seasonal park Ranger Dennis Runge (1968), and former superintendent Tom Munson (1971) all recollect the burial coming from Devils Den but believed that the burial was found in the rockshelter below the mound group rather than the mound itself. Tom Munson did concede that burials were seldom intact if found in rockshelters. Remains found in rockshelters tend to be scattered. It appears that Charlie was relatively intact. Dennis Runge claims that Bray did quite a few excavations with Blackwell, Kile, and Thompson. All three of these men were on the maintenance crew at EFMO during the summer of 1957. Bray was reportedly a contract archeologist who utilized park employees to help with the excavations. Dennis Runge also mentioned the possibility that there is a photograph of Devils Den in Orr's photos. This possibility remains to be explored.

Charlie was on display in the museum when Tom came to EFMO in 1971. Tom Munson believes Charlie was sent to MWAC in 1972 or 1973. He recollects a later conversation with Bob Nickels in which neither MWAC or EFMO wanted to retain Charlie. Tom suggested to Bob that it be sent to State Archeologist Shirley Schermer for interment with other remains from EFMO that were being reburied. Possibly Bob Nickels has some recollection of this conversation. Tom stated that EFMO has no use for the burial and would prefer it be reburied.

Park files dating back to the early 1970's have been sent off to the archives but I was able to find one file remaining that briefly mentions the burial and an inventory done in 1973 that indicates that the transfer was done before July, 1973.

Telephone conversations with Tom Thiessen and Michelle Watson from MWAC on Oct. 17, 20, and 21 indicate that MWAC is anxious to catalog Charlie for NAGPRA purposes. If the information above is sufficient I will catalog it under Accession 12 with a catalog number of EFMO-9916.





**Appendix J**

**Skeletal Remains Curated at  
Midwest Archeological Center, NPS**

**NATIONAL PARK SERVICE**

**EFFIGY MOUNDS NATIONAL MONUMENT [MW]**

**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT**

**INVENTORY**

**11/10/1995**

**Listing of Human Remains and Associated Funerary Objects  
For Which No Culturally Affiliated Present-Day Indian Tribe  
Can Be Determined**

The following inventory concerns human remains and associated funerary objects for which the NPS is responsible. No items have been determined to be culturally affiliated with present-day Indian tribes. The determination of cultural affiliation was based upon information obtained from NPS museum records, cultural affiliation specialists, and consultation with representatives of the present-day Indian tribes as noted below. Additional information may be on file.

**ID #** 1

**Context Synopsis:** Dale Henning, assisted by Tim Mason, a member of Effigy Mounds staff, was contracted to repair vandal damage to Mound 43 of the Sny Magill Unit, Effigy Mounds NM. Documentation includes a report by Dale R. Henning (1991) titled "Archeological Evaluation of Damage to Mound 43 Sny Magill Unit Effigy Mounds NM, Iowa, on file at the Midwest Archeological Center.

**Accession Data:** MWAC accession no. 569; EFMO accession no. 147

**Provenience:** 13CT18 [SNY MAGILL MOUND NO. 43]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 15

---

**Item:** BONE

**State Site No:** 13CT18 **SubContext:**

**Within Site Prov:** SNY MAGILL MOUND NO. 43 **Catalog #:** EFMO 9917

**Measurement:** **Item Count:** 15 **Item Qty:** 0 **Storage Unit:** EA

**Description:** HUMAN REMAINS FOUND IN THE 1991 LOOTING OF SNY MAGILL MOUND NO. 43.

**Cultural Identity:** Identified by: HENNING, DALE R.,

**Date/Period:**

---

**ID #** 2

**Context Synopsis:** One bundle burial excavated from a conical mound in the "Devils Den Mound Group." Because of research conducted by (b) (6), (b) (7)(C) at Effigy Mounds during October, 1994, and through correspondence with Robert Bray, the Devils Den Mound Group, also known as the Marquette-Yellow River Mound Group No. 2, on the bluffs between Marquette and Yellow River has been confirmed as the site from which the burial was removed.

**Accession Data:** MWAC accession no. 35; EFMO accession no. 12

**Provenience:** 13CT50 [DEVIL'S DEN MOUND GROUP]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 0

---

**Item:** BUNDLE BURIAL

**State Site No:** 13CT50 **SubContext:**

**Within Site Prov:** DEVIL'S DEN MOUND GROUP **Catalog #:** EFMO 9916

**Measurement:** **Item Count:** 0 **Item Qty:** 1 **Storage Unit:** BX

**Description:** ABOUT 94 WHOLE AND FRAGMENTARY BONES, SOME ARE WRAPPED AND SOME ARE PLASTER JACK ETED.

**Cultural Identity:** Identified by:

**Date/Period:**

---



**Appendix K**  
**White Paper**  
**Disposition of Human Remains**

## DISPOSITION OF HUMAN REMAINS

### WHITE PAPER

**ISSUE:** What is the appropriate disposition of human remains from archeological sites which have been recovered from Federal lands, through the use of Federal monies, or under Federal sanction?

#### DESCRIPTION

In the course of archeological studies human physical remains (bone, and in some cases, mummified or otherwise preserved soft tissue) may be encountered. The question of whether the remains should be reburied or curated in a scientific facility has been raised by religious, cultural and scientific groups who have an expressed or vested interest in the disposition of these remains. Proponents of reinternment, in the extreme, call for unrestricted reburial of all human remains regardless of age or ethnic affiliation. The extreme opposite position calls for the mandatory curation of all human remains.

Recently, concern over the disposition of human remains has increased. A primary goal of most Native American activist groups is the reburial of all Indian remains. Reactions from scientific communities have resulted in the adoption of resolutions against reburial. The American Academy of Forensic Science (Forensic Anthropology Section) and the American Association of Physical Anthropologists passed resolutions decrying "indiscriminate" reburial. Although the Society for American Archaeology had passed a resolution against reburial unless lineal descent could be demonstrated, the resolution was subsequently withdrawn (November 1984).

Several legal mandates bear on the issue of the disposition of human remains including: the American Indian Religious Freedom Act of 1978 (AIRFA), the Archaeological Resources Protection Act of 1979 (ARPA) and its implementing regulations, 43 CFR 7 (applicable portions of the legislation are presented in Appendix I). While AIRFA does not mention human remains directly, it has been used to argue for reinternment on the basis of religious concerns. Section 3.1 of ARPA and Section 3(a) of 43 CFR 7 specifically define graves and human remains which are at least 100 years of age as archeological resources, allow for scientific investigations, and provide for the curation of them in appropriate facilities.

Other antiquities legislation deals less directly with the issue. Human remains from National Register of Historic Place eligible or listed sites would be covered under Section 106 of the National Historic Preservation Act (NHPA) as amended (1980). Just as with ARPA, NHPA (section 101(a)(7)) provides for the long term curation of records and artifacts. The implementing regulations for this act, 36 CFR 60, generally exempt cemeteries and graves of historical figures but allow for their inclusion in the National Register of Historic Places based on age, association with historical events, and potential to yield information important in history and prehistory. The Secretary of the Interior's Standards for Archeology and Historic Preservation (1983) also states that archeological specimens and records should be curated in a suitable repository which provides access to the material for future research. The regulations cite Human Bones and Archeology as a reference for further information.

Although the draft implementing regulation (36 CFR 66) for the Archeological and Historic Preservation Act of 1974 is currently being rewritten, the extant version defines human skeletal remains as scientific material (section 66.1). They also identify that data and material from public lands or collected under Federal sanction remain the property of the Federal government.

## PRESENT POLICY

In 1979, a uniform policy dealing specifically with the disposition of human remains was developed by the Heritage Conservation and Recreation Service. This policy was slightly modified and became Department of the Interior policy in March 1982 (it is included in Appendix II). Although initial efforts in formulating the policy preceded passage of ARPA and AIRFA, the requirements of both along with comments from the Bureau of Indian Affairs representing Indian concerns and legal opinions from several solicitors were considered in framing the 1982 departmental policy. The policy pertains to Department of the Interior (DOI) actions on Federal lands and DOI sanctioned projects and relates only to archeologically derived remains. Subsequently, other executive departments have adopted this policy or follow it in principal. Although the initial stimulus to develop departmental policy and guidance came from Indian concerns, the policy and guidance is nondiscriminatory and covers all human remains located as a result of archeological activity. Generally, the Federal government has deferred to State law governing dedicated cemeteries.

The Department of Interior's policy on the disposition of human remains is consonant with AIRFA and applies to remains from public or Indian lands which are located as a result of archeological investigations conducted or authorized by the Department. The major criteria underlying the Departmental policy is that the remains are archeological resources if they are 100 years old and are of archeological interest as stipulated in the ARPA (Sec. 3.(1)) and 43 CFR 7. Consultation with groups who may have an interest in the disposition of the remains is an integral step in the determination process.

The Department's policy and guidance establishes a process for Federal land managers to use in reaching decisions regarding the disposition of human remains. This policy and guidance requires neither unrestricted reburial nor mandatory curation of the remains. It leaves the decision to the land manager for determination based on the merits of each case. The process is consonant with the land manager's ARPA responsibilities and provides for consultation with appropriate religious, cultural and scientific groups with a vested interest in the remains. The land manager must evaluate the potential conflict between religious sentiments and scientific value in reaching the determination of whether reburial or curation is appropriate.

The Departmental Consulting Archeologist is currently preparing additional guidance on the disposition of human remains which will be in the form of a "Preservation Brief." The brief will review the applicable legislation and case law relating to the disposition of human remains, identify the potential religious, cultural, and scientific values, and outline the process by which appropriate interest groups should be contacted. It will serve as guidance to allow the land managing official to determine the disposition of the remains on a case by case basis. Additionally, the Department of the Interior is preparing regulations governing the curation of archeological data and materials which are under Federal jurisdiction. These regulations will be codified as 36 CFR 79.

## APPENDIX I

### RELEVANT PORTIONS OF LEGISLATION BEARING ON THE ISSUE OF THE DISPOSITION OF HUMAN REMAINS

#### NATIONAL HISTORIC PRESERVATION ACT OF 1966 AS AMENDED (PL 89-665)

Sec. 101(a)(7) The Secretary shall promulgate, or revise, regulations-  
(A) ensuring that significant prehistoric and historic artifacts, and associated records, subject to section 110 of this Act, the Act of June 27, 1960 (16 U.S.C. 469c), and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa and following) are deposited in an institution with adequate long term- curatorial capabilities.

36 CFR 60: Implementing Regulations for PL 89-665 (Federal Register November 16, 1981)

Section 60.4 of 36 CFR 60 clarifies the status of historical cemeteries and graves with respect to eligibility to the National Register of Historic Places.

#### 60.4 Criteria for Evaluation.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes... shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.

#### SECRETARY OF THE INTERIORS STANDARDS AND GUIDELINES FOR ARCHEOLOGY AND HISTORIC PRESERVATION

The Secretary's Standards promulgated under PL 89-665 (Federal Register September 29, 1983) provide clarification regarding curation:

Archeological specimens and records are part of the documentary record of an archeological site. They must be curated for future use in research, interpretation, preservation, and resource management activities. Curation of important archeological specimens and records should be provided for in the development of any archeological program or project.

Archeological specimens and records that should be curated are those that embody the information important to history and prehistory. They include artifacts and their associated documents, photographs, maps, and field notes; materials of an environmental nature such as bones, shells, soil and sediment samples, wood, seeds, pollen, and their associated records; and the products and associated records of laboratory procedures such as thin sections, and sediment fractions that result from the analysis of archeological data.



Satisfactory curation occurs when:

1. Curation facilities have adequate space, facilities, and professional personnel:
2. Archeological specimens are maintained so that their information values are not lost through deterioration, and records are maintained to a professional archival standard:
3. Curated collections are accessible to qualified researchers within a reasonable time of having been requested: and
4. Collections are available for interpretive purposes, subject to reasonable security precautions.

Recommended Sources of Technical Information

Human Bones and Archeology. Douglas H. Ubelaker. Interagency Archeological Services, Heritage Conservation and Recreation Commission. U.S. Department of the Interior, Washington, D.C. 1980 (page 44737).

**36 CFR 66: Implementing Regulations for PL 93-291 (Federal Register January 28, 1977)**

The draft implementing regulations for the Archeological and Historic Preservation Act of 1974, 36 CFR 66, are in the process of being rewritten and should be reissued by the end of 1985. They are referenced here because they have been utilized, albeit in draft form, and have provided guidance since 1977. Section 66.1 of the proposed regulations define skeletal remains as scientific material. Section 66.3 (a) (1 and 2) identify that data and material from Public lands or collected under Federal sanction remain the property of the Federal government and that such material is to be maintained in the public trust.

**66.3 Protection of data and materials.**

(a) Data recovery programs result in the acquisition of notes, photographs, drawings, plans, computer output, and other data. They also often result in the acquisition of architectural elements, artifacts, soil, bone, modified stones, pollen, charcoal, and other physical materials subject to analysis, interpretation, and in some instances display. Analytical techniques that can be applied to such data and material change and improve through time, and interpretative questions that may be asked using such data and material also change and develop. For these reasons, and to maintain data and material for public enjoyment through museum display, it is important that the data and material resulting from data recovery programs be maintained and cared for in the public trust.

(1) Data and materials recovered from lands under the jurisdiction or control of a Federal agency are the property of the United States Government. They shall be maintained by the Government or on behalf of the Government by qualified institutions through mutual agreement. A qualified institution is one equipped with proper space, facilities, and personnel for the curation, storage, and maintenance of the recovered data and materials. The exact nature of the requisite space, facilities, and personnel will vary depending on the kinds of data and materials recovered, but in general it is necessary for a qualified institution to maintain a laboratory where specimens can be cleaned, labeled, and preserved or restored if necessary; a secure and fireproof archive for the storage of photographs, notes, etc., and a staff capable of caring for the recovered material.

(2) Data recovered from lands not under the control or jurisdiction of a Federal agency, as a condition of a Federal license, permit, or other

entitlement, are recovered on behalf of the people of the United States Government. They should be maintained as provided under /Paragraph/ 66.3(1)(a) above... Material recovered under such circumstances should be maintained in the manner prescribed under /Paragraph/ 66.3(1)(a) insofar as possible

(b) Data and material resulting from a data recovery program should be maintained by a qualified institution or institutions as close as possible to their place of origin and made available for future research.

### **Joint Resolution, American Indian Religious Freedom Act (PL 95-341)**

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

Sec. 2. The President shall direct the various Federal departments, agencies, and other instrumentalities responsible for administering relevant laws to evaluate their policies and procedures in consultation with native traditional religious leaders in order to determine appropriate changes necessary to protect and preserve Native American religious cultural rights and practices. Twelve months after approval of the resolution, the President shall report back to the Congress the results of his evaluation, including any changes which were made in administrative policies and procedures, and any recommendations he may have for legislative action.

There are no implementing regulations for AIRFA

### **Archaeological Resources Protection Act of 1979 (PL 96-95)**

Sec. 2.(b) The purpose of this Act is to secure, for the present and the future benefit of the American people, the protection of archaeological resources and sites which are on public and Indian lands...

Sec. 3.(1) The term "archaeological resource" means any material remains of past human life or activities which are of archeological interest, as determined under uniform regulations promulgated pursuant to this Act. Such regulations containing such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, or portions of structures, pit houses, rock paintings, rock carvings, intaglios, **graves, human skeletal materials**, or any portion or piece of any of the foregoing items (emphasis added).

Sec. 4.(a) Any person may apply to the Federal land manager for a permit to excavate or remove any archaeological resource located on public lands or Indian lands and to carry out activities associated with such excavation or removal. The application shall be required, under uniform regulations under this Act, to contain such information as the Federal land manager deems necessary, including information concerning the time, scope, and location and specific purpose of the proposed work.

(b) A permit may be issued pursuant to an application under subsection (a) if the Federal land manager determines, pursuant to uniform regulations under this Act, that

(2) the activity is undertaken for the purpose of furthering archeological knowledge and public interest,

(3) the archaeological resources which are excavated or removed from public lands will remain the property of the United States, and such resources and copies of associated archaeological records and data will be preserved by a suitable university, museum, or other scientific or educational institution...

(c) If a permit issued under this section may result in harm to, or destruction of, any religious or cultural site, as determined by the Federal land manager, before issuing such permit, the Federal land manager shall notify any Indian tribe which may consider the site as having religious or cultural importance. Such notice shall not be deemed a disclosure to the public for purposes of section 9.

(g)(1) No permit shall be required under this section or under the Act of June 8, 1906 (16 U.S.C. 431), for the excavation or removal by any Indian tribe or member thereof of any archaeological resource located on Indian lands of such Indian tribe, except that in the absence of tribal law regulating the excavation or removal of archaeological resources on Indian lands, an individual tribal member shall be required to obtain a permit under this section.

(2) In case of any permits for the excavation or removal of any archaeological resource located on Indian lands, the permit may be granted only after obtaining the consent of the Indian or Indian tribe owning or having jurisdiction over such lands. The permit shall include such terms and conditions as may be requested by such Indian or Indian tribe.

Sec. 5. The Secretary of the Interior may promulgate regulations providing for-

(1) the exchange, where appropriate, between suitable universities, museums, or other scientific or educational institutions, of archaeological resources removed from public lands and Indian lands pursuant to this Act, and

(2) the ultimate disposition of such resources and other resources removed pursuant to the Act of June 27, 1960 (16 U.S.C. 469-469c) or the Act of June 8, 1906 (16 U.S.C. 431-433).

Any exchange or ultimate disposition under such regulation of archaeological resources excavated or removed from Indian lands shall be subject to the consent of the Indian or Indian tribe which owns or has jurisdiction over such lands. Following promulgation of regulations under this section, notwithstanding any other provision of law, such regulations shall govern the disposition of archeological resources removed from public lands and Indian lands pursuant to this Act.

43 CFR 7: Implementing regulations for PL 96-95 (Federal Register February 6, 1984).

The regulations implementing ARPA provide additional information on and clarification of the definition of "archaeological interest."

3(a) "Archaeological Resource" means any material remains of human life or activity which are at least 100 years of age and which are of archaeological interest.

(1) "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation and explanation.

(2) "Material remains " means physical evidence of human habitation, occupation, use, or activity, including the site, location, or context in which such evidence is situated.

(3) The following classes of material remains (and illustrative examples), if they are at least 100 years of age, are of archaeological interest and shall be considered archaeological resources ...

(vi) Human remains (including, but not limited to bone, teeth, mummified flesh, burials, cremations).

## APPENDIX II

United States Department of the Interior

### GUIDELINES FOR THE DISPOSITION OF ARCHEOLOGICAL AND HISTORICAL HUMAN REMAINS

#### BACKGROUND

Archeological investigations frequently encounter various types of interred human remains which are important for their cultural, religious, and scientific values. While a number of bureaus and offices within the Department of the Interior conduct archeological programs, the Department has never developed a consistent approach toward the disposition of archeological and historical human remains. These Guidelines set forth the approach which the Department will pursue in relation to such remains.

Over the past few years the Departmental Consulting Archeologist has received numerous requests from Federal, State and local agencies and professional archeologists for guidance on the appropriate disposition of historical and archeological human remains. In an effort to provide such guidance an interim statement on the disposition of human remains was developed and issued in 1979. In response both to comments on this interim statement and to increasing numbers of requests for further guidance, the Departmental Consulting Archeologist undertook the development of a Departmentwide policy. This policy was developed in consultation with archeologists in other Interior bureaus, the Department's Solicitor's Office, and the National Park Service's Office of Management Policy. These guidelines were approved by Mr. G. Ray Arnett, Assistant Secretary for Fish and Wildlife and Parks, on July 23, 1982.

These guidelines were prepared by Dr. Annetta L. Cheek. For further information, contact the Departmental Consulting Archeologist, National Park Service, Washington, D.C. 20240.

#### GUIDELINES

These Guidelines outline the approach of the Department of the Interior on the disposition of archeological and historical human remains disturbed during archeological investigations conducted or authorized by the Department's bureaus and offices. These guidelines are in addition to and are not meant to replace or supplant any planning procedures established by Federal law or regulations. In order to deal with a variety of legitimate views of living groups toward the exhumation, analysis and disposition of human remains, the Department seeks to establish a consistent approach for its bureaus and offices to follow in determining the proper treatment of such remains. This approach will be applicable when investigations of archeological resources, conducted by or through the Department as an authorized Federal undertaking, will knowingly disturb interments of human remains, when interments are inadvertently disturbed on property owned or managed by the Department, either through natural causes or through human activities, and in any other situation in which the Department must decide on the disposition of disturbed interments of human remains.

While preservation of human remains in situ is generally preferable to removal, preservation in situ is not always feasible. In cases where it is not, it is recognized that proper treatment often involves especially sensitive issues in which scientific, cultural,

and religious values must be considered and reconciled. It is therefore the policy of the Department of the Interior to provide reasonable opportunity for consultation by the responsible bureau or office with groups or individuals interested in the disposition of disturbed human remains. This opportunity should be provided at the earliest feasible time after disturbance or, in the case of planned activity, as soon as it becomes apparent that disturbance of human remains will occur. Each bureau or office shall consider courses of action suggested during consultation as well as any requirements of other entities having legal jurisdiction in particular cases while still fulfilling its responsibilities under historic preservation law and Executive orders.

1. Where the disturbance involves marked or identified interments of human remains, a reasonable effort will be made to identify and locate individuals who can demonstrate direct kinship with those interred individuals. The bureau head or designated representative will consult with such persons who respond in a timely fashion to the notification in the determination of the most appropriate treatment for the interments.

2. Where the disturbance involves interments of human remains known by the bureau to have affinity to specific living groups such as federally recognized Indian tribes or ethnic groups (for example, the Hutterites, Amish, and non-federally recognized Indian groups), a reasonable effort will be made to identify, locate and notify leaders, officials or spokespersons for these groups. In the case of Indian tribes, notice shall be given to the recognized tribal governing body. The bureau head or designated representative will consult with such persons who respond in a timely fashion in the determination of the most appropriate treatment for the interments.

3. Where the disturbance involves interments which the bureau cannot identify with a specific living group, the bureau will make a reasonable effort to notify groups who may be expected to have an interest in the disposition of the remains based on a professional determination of generalized cultural affinity. If such groups identify themselves as having such an interest, they will be provided a reasonable opportunity to consult with the bureau head or designated representative in regard to appropriate treatment of the interment. If any group claims an affinity with the remains, the responsibility for documenting and validating that claim rests with the group.

4. Any bureau or office of the Department charged with the care or custody of human remains will maintain the collection in keeping with the dignity and respect to be accorded all human remains. Costs accruing as a result of consultation, treatment or curation of human remains are to be borne by the bureau, office or Federal agency responsible for the disinterment.

5. The bureau head may request the Departmental Consulting Archeologist or a designated representative to conduct the consultations required by the policy or to provide advice or assistance in related matters.

6. As used above, the interpretation of "reasonable" and "timely" will consider the cultural or scientific value of the human remains and the cost to the government of locating interested parties and providing consultation opportunities.

**RECOMMENDATIONS**

to

**NAGPRA Summary and NAGPRA Inventory**

**Effigy Mounds National Monument**

Prepared for:  
Department of the Interior  
National Park Service  
RFQ 6290-7-0004

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by

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## INTRODUCTION

The report discusses and summarizes an assessment of specific objects in the collections of Effigy Mounds National Monument (EFMO) in satisfaction of the Scope of Work, Item 1, Objective 1 (RFQ 6290-7-004) (Appendix A). The contract was received September 16, 1997. The work was done in satisfaction of the National Park Service' obligations to meet the requirements of Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA); 43 CFR Part 10, Native American Graves Protection and Repatriation Act Regulations; Proposed Rule, 1993; 43 CFR Part 10, Native American Graves Protection and Repatriation Act Regulations, Final Rule, 1995 (Appendix B).

The report is presented in two parts. The first addresses the NAGPRA Summary of 1993 for EFMO (Appendix D); the second addresses the Effigy Mounds National Monument 1995 Inventory of human remains and associated funerary objects (Appendix D).

In the course of the study discussed Part One, all objects previously listed in the NAGPRA Summary of 1993 have been reviewed, evaluated and recommendations made. In addition, a general collections review has been conducted. Items which were found to have good contextual data suggesting their addition to the Summary were evaluated.

The collections contain many items that an archeologist who is familiar with regional prehistoric patterns can identify culturally and offer an educated guess about contextual derivation. However, many of these items lack readily-obtained contextual data; data which, in some instances, might be "teased out" of the records. This "teasing out" process involves comparing inventory sheets and comparing information with other objects that might be related. As the study evolved, variations in data retained with each successive cataloguing process made things complex at best. Some objects have been catalogued three times; the cataloguer included information that probably seemed important *at the time*, sometimes unintentionally leaving out data that might be important to future studies like this one. A great deal of checking and re-checking was done for the current study, but more investigation may allow greater precision in contextual placement of additional artifacts. For instance, the collections contain a number of small Oneota pottery vessels, many from the Orr collection (Accession #2). These are Oneota "personal vessels" and are often found in graves, but also occasionally appear in village sites. Some of these vessels lack readily-accessible contextual data, but have been illustrated and discussed in the literature (Wedel 1959) and in manuscript form (Orr notes on file, EFMO), leading to the possible derivation of the context from which an item came. Thus, some of these items are dismissed because of lack of context, yet may ultimately be determined as possibly meeting one or more of the definitions of NAGPRA.

Some definitions are in order and are paraphrased from NAGPRA Rules and Regulations, 1995 (Appendix B). Appendix B is included for use and further consultation, if needed.

*Human remains* means the physical remains of a human body, for purposes of this project, specifically the body of a person of Native American ancestry. The term does not include portions of remains that may have been freely given or naturally shed, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, human remains incorporated into a funerary object, sacred object, or object of cultural patrimony, must be considered as part of that item.

*Funerary objects* are items that are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains.

A *burial site* means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which as part of the death rite or ceremony of a culture, individual human remains were deposited, and includes rock cairns or pyres which do not fall within the ordinary definition of grave site. Most of the mounds in or near the boundaries of EFMO that have been investigated have yielded some human bone.

*Associated funerary objects* means those funerary objects for which the human remains with which they were placed intentionally are also in the possession or control of a museum or Federal agency. *Associated funerary objects* also means those funerary objects that were made exclusively for burial purposes or to contain human remains.

*Unassociated funerary objects* means those funerary objects for which the human remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency.

*Sacred objects* means items that are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. These are objects which have religious significance or function in the continued observance or renewal of a traditional Native American religious ceremony or ritual.

*Objects of cultural patrimony* means items having ongoing historical, traditional, or cultural importance central to the Indian tribe rather than property owned by an individual tribal or organization member.

If an ethnographic item offers good tribal identification, it may also be NAGPRA eligible as a sacred object or item of cultural patrimony. Objects from prehistoric or protohistoric village locations were, for the most part, not regarded as NAGPRA eligible. Items of cultural patrimony that are derived from archeological contexts are very difficult to identify. Following the definition, none of the objects in the EFMO collections are recommended to NAGPRA as items of cultural patrimony.

The project has consumed both the time and energy of all concerned. My two trips to the Monument were absolutely necessary; the time spent there was intense. For both visits, long lists of numbers to check, artifacts to see and photographs to take were made and followed. For the first visit, it was hoped that it would not be necessary to gain access to artifacts on display in the Museum. This assumption was incorrect, if only because of the inability to read the catalogue numbers and photograph through the plexiglass, but the difficulty of opening the cases was too great. So, the preliminary investigations became an opportunity to re-familiarize myself with the materials on display and the collections, peruse the records, take photographs and make more sophisticated lists of research needs. The second visit allowed access to the displayed artifacts and afforded an opportunity to re-evaluate many objects and the associated records, take more photographs and to correct some errors made in the course of the first visit.

In Part One, the past recommendations and listing of Summary objects by past Park Superintendents and the listing of objects by the National Park Service will be reviewed and recommendations made. Further, the results of research conducted in the Park archives and records files coupled with the visual inspection of items on display and curated in the collections housed at EFMO will be presented. The procedure employed in presenting data is by accession number, offering a brief statement about the conditions under which the items were obtained and, hopefully, some insights to the collector as they might affect my judgement about the eligibility of specific items. All data is presented in tabular form and should be easily accessed and understood. Written descriptions of artifacts are generally limited to discussion of the rationale whereby recommendations were made.

Part Two has been made comparatively simple to present. The National Park Service Effigy Mounds National Monument Inventory of November 11, 1995(Appendix D), consists of only two units of human remains, both of which are curated at the NPS Midwest Archeological Center. A few fragments of human bone were encountered in the collections. These will be discussed briefly. Other human remains have been deaccessioned or have disappeared. These will be discussed in a separate report.

## THE PROJECT

The Request for Quotations (No. RFQ 6290-7-004) dated August 8, 1997, was responded to by the Illinois State Museum Society on September 15, 1997, resulting in award of contract shortly thereafter. The first site visit was Monday, November 17, at which time a general orientation meeting was held with Kate Miller, Superintendent, and members of her staff. Data collection and photography were conducted through noon of November 18. The required Progress Report (letter, Henning to Miller, December 12, 1997, Appendix C) was submitted. In this letter, I noted that some difficulties were encountered, especially with my inability to positively identify specific artifacts that were on display. Work with the data obtained continued intermittently through December, at which time it was fully apparent that another site visit and project extension would be necessary. The request for an extension of time (letter by fax, Henning to Miller, January 15, 1998, Appendix C) was granted (letter, Miller to Henning, January 15, 1998, Appendix C). A second site visit was made on February 5, 1997, accompanied by Barbara Henning. During this visit, the case fronts in the Museum were removed and full access to the artifacts on display was gained. Accession and catalogue numbers could be seen and the necessary photographs taken. Some artifacts were firmly locked into position and could not be removed without damage for photography. These items were photographed in situ. Many records were rechecked, two rolls of film were exposed and a number of concerns and misconceptions cleared up. Only the fact that two persons were able to conduct the necessary research allowed for completion of the work in one very full day. Research for both the Inventory and the Summary were conducted simultaneously.

## PART ONE EVALUATION, NAGPRA SUMMARY, 1993

The study is designed to offer a professional assessment of specific objects in the Monument collections, together with accession records, to determine the status of these objects in relation to NAGPRA. Indeed, some specific objects were listed for NAGPRA consideration (Effigy Mounds National Monument Summary of Unassociated Funerary Objects, Sacred Objects and Objects of Cultural Patrimony, October 14, 1992, Appendix D), updated (Munson to Manager, Midwest Archeological Center, September 1, 1993), then summarized (Summary dated October 20, 1993, relevant portion copied, Appendix D). These recommendations and the relevant records and artifacts are reviewed and evaluated in Part One. In addition, review was to include any other objects that might be potentially eligible as Summary objects as defined under NAGPRA. This review involved a lengthy, sometimes onerous, but always intriguing research process. Fortunately for the review process and the results thereof, I have known most of the persons involved in development of the collections, including Ellison Orr, Mr. Elwell, Fred Orr,

H.P. Field, Warren Hayes, Gordon Peckham, Paul Beaubien, Wilfred Logan, Robert Bray, Garland Gordon, Tom Munson and others who have played a role in collections acquisition and management. I have reviewed parts of the collections at various times in the past, even including a tour of his collection in the office/study of Ellison Orr during and shortly after World War II. Further, my professional career has drawn me to northeastern Iowa in both excavations and literature review; many of the items in the collections are very familiar to me. I have drawn upon personal experience as well as my professional training and will try to explain how each has been a factor in discussion and evaluation of the items in the collections. The reader will find that I offer some detail for why an item should be eligible to NAGPRA Summary, but may not mention why a specific item is *not* included. The most expedient conclusion that might be drawn is that the object 1) lacked contextual data or 2) is derived from a contextual relationship which *does not* imply derivation from a grave, mound, cemetery or sacred place.

The primary task is to recommend additions to and/or deletions from the NAGPRA Summary completed by EFMO in September, 1993 and reiterated by the National Park Service in October, 1993. Also included in Appendix D is a Summary produced in 1992, which was used as an informational device, a part of the history of NAGPRA evaluation and recommendation conducted by the Park. The 1992 Summary offered some contextual information not included in the September 1, 1993, and October 10, 1993 Summary statements and proved a useful document through all stages of my research. The NAGPRA Inventory, 1995 (Appendix D) is addressed in Part Two of this report.

### **Project Procedures**

Following project award, I immediately requested disk copies of the EFMO database (dbaseIII), assuming that its availability would speed progress in research and evaluation. It did not. The Illinois State Museum uses this program in curation, but it is on only one overused machine. It proved slow and unwieldy and has been used only in times of dire need. Thus, copies of vast amounts of information were requested and promptly received. The updated catalogue sheets of all items on display in the EFMO museum were obtained and have served the project well. Other data has been requested of EFMO personnel sporadically and has been received promptly and precisely. The site visits were very intense, preceded by lists of information that would be sought and questions that would be asked of the records available. The lists of items deemed eligible for NAGPRA Summary that had been prepared by EFMO personnel were a logical beginning point; those items were checked and rechecked and all decisions questioned. One question seemed to predominate; if one item from a specific context is eligible, why not all? All information was cross-checked, a process that has continued right into report preparation. The following report of procedures and resultant recommendations summarizes what has been done.

### **Items Recommended for Removal, Servicewide Summary, NPS (Kennedy, 1993)**

All of the items listed in the Servicewide Summary, NPS, dated October 20, 1993 (Appendix D)

were derived from a list submitted by Superintendent Munson on September 1, 1993 (Appendix D). Munson's list appears to have been developed by the National Park Service following the table prepared at EFMO under Munson's direction on October 14, 1992 (Appendix D). The September, 1993 list has a number of items that are lined out, apparently to strike them from the list. All items that appeared on Munson's 1992 and 1993 lists, whether lined out or not, were considered for NAGPRA eligibility before the study was concluded. It should be noted that none of the lists offered accession or catalogue numbers, initially making evaluation very difficult. The Monument and NPS NAGPRA lists offered little direct information about the objects, including the cryptic descriptions. The *combination* of the description, object derivation and acquisition date, when combined with the old accession records that are on file at EFMO allowed for many otherwise unavailable insights. Through application of these combined data, it became apparent, for instance, that the Ellison Orr collection was donated on 6/27/50, and that items that were excavated from either Mound 36 or 37 in 1928 by Henry P. Field, a Decorah dentist, were donated on 2/23/58. Determining that Field Collection generally referred to materials recovered by Monument or NPS archeologists, usually, but not always, from EFMO property and were not from the H.P. Field collection (Dr. Field donated several items that he had found on the EFMO tract prior to its being established as a Monument) was also helpful, once that was established.

Unfortunately, when the site number for Mounds 36 and 37 is presented in the Monument and NPS summary tables, it is 13AM82, which is incorrect. 13AM82 is a site number assigned to the Nazekaw Terrace Mound Group, Laird Farm Terrace (Monument headquarters are built on part of this terrace, but was constructed long after most of the mounds were destroyed). Mounds 55 through 61 are found on this terrace today. Mounds 33-52 are found in the Fire Point or Procession Mound Group. Thus, Mounds 36 and 37, one of which was dug by Dr. Field in 1928, producing the items he donated in 1958, should be numbered 13AM190, the number employed in Table 4.

Table 1 offers the information available in the Servicewide Summary (October 20, 1993) and my recommendations. The negative recommendations (suggesting removal from NAGPRA eligibility) are offered in bold face in the appropriate column. The objects that are not recommended for removal from NAGPRA Summary eligibility are accompanied by a brief explanation for their remaining on the list. Those items also appear in Tables 2 and 4. In Table 4, they appear with appropriate accession and catalogue numbers.

A few items identified as loan items were included on the Monument and NPS NAGPRA lists. Two items, a pot (13AM60) and a core (13AM150), are on the NPS Summary list. Both are eligible to NAGPRA Summary, but I have removed them from my lists of NPS responsibility to NAGPRA, assuming that those items, along with at least 13 other items that are on loan to the Monument, are ultimately the responsibility of the loaning institution. I expect that these items are already on NAGPRA lists from these institutions. The list of loaned items and the loaning institution are presented in Table 3.

Most of the items recommended for removal from the original lists lack the necessary contextual

data; in short, I was not certain where they came from. They might also be lacking adequate descriptive information (i.e., *which* copper item is being referred to?). In some instances, I just could not be sure.

Comments on Table 1 decisions follow for items that are either removed or might profitably be discussed further. There are nine (9) entries in Table 1 that I believe are NAGPRA eligible. Two of these items that I recommend as eligible are discussed below. The remaining entries offer sufficient contextual data that they are simply recommended without further discussion.

By tracing through the catalogues, it was possible to determine that the scraper (NE Iowa), 2 abraders, a "pot", and 1 awl sharpener (Terrace, Upper Iowa River) all came from the same Oneota burial, were apparently dug by Fred Orr and given to Ellison Orr, who donated them to EFMO along with his considerable collection on 6/27/50. One of the abraders is missing; it may actually be the awl sharpener. These items are all listed in Table 4, access. no. 2, cat. nos. 4, 309, 356, 7096 and presented under the same context (burial and legal location). The "pot" is actually a small hematite concretion which is hollowed out, perhaps by drilling. I telephoned Tim Weitzel, Director of archeological site records at the Office of the State Archaeologist, Iowa City, offering the legal location, in hopes of learning the appropriate site name. Unfortunately, there are three sites within that legal location; we could not determine which is the one in question.

The three projectile points from Burke's Mound were removed from consideration. In spite of the name, Burke's Mound is not a man-made mound, but a natural feature of the landscape. There is prehistoric site (or, sites) all around the "mound" and, indeed, some burials were probably dug by the Burke family over the years on or around it. As a boy, I visited the Burke farm several times with Dr. Field. They sometimes offered glass trade beads for sale, but would not tell exactly where they came from. Ellison Orr, who sometimes accompanied us on these trips, thought that they were digging historic Native American burials that were in the "mound" and that the beads were from those. The three projectile points in question, however, are probably Middle or Late Woodland and Oneota. We just do not have adequate contextual data to suggest NAGPRA eligibility.

The piece of red ocher from 13PM4, the Kimball Mound, Plymouth County, Iowa, was probably included because of the "mound" in the name. This is a Mill Creek culture site. Most Mill Creek sites covered very little horizontal area and were very intensively occupied, often fortified. This cultural characteristic resulted in the formation of a considerable, perhaps purposeful, midden accumulation of village refuse upon which the Mill Creek houses were established. The Kimball village site, characterized by a considerable (once up to 12 feet high, now about four) rise on an otherwise flat floodplain of the Big Sioux River just north of Sioux City, looks like a large mound, but it is a village site. Thus, I regard it as not a burial, cemetery or religious edifice.

The pipe from northeast Iowa acquired 11/18/61, came from the Elwell collection (old accession records, EFMO). Mr. Elwell ran a very popular shell and souvenir shop in downtown McGregor for a period of time prior to ca. 1945. As a boy, a visit to The Shell Shop was for me a rare and



treasured experience. In addition to shells from over the world, Mr. Elwell had a considerable collection of Indian "relics", many of which he had bought locally. The specimen under consideration is a simple catlinite elbow pipe, probably Oneota, that has a simple line rendering of a deer head and neck incised along the bowl. The pipe must have been presented to the Monument by an Elwell descendant, perhaps his daughter who ran the shop for a number of years after he was deceased. At any rate, the necessary context data on this item is not available.

One item identified as "copper", with acquisition date listed as pre-1985, offers no contextual data. It is part of a collection of items identified in the old accession records (no. 130) (material stored in artifact cases as of 1985 - material "on hand"). It is catalogued as accession 130, catalogue number 6031 and was photographed for the record. The item may be brass; if so, it could be an item of Euro-American trade.

Another pipe bowl, again with acquisition date listed as pre-1985, offers no contextual data. It is also part of a collection of items identified in the old accession records (no. 130) (material stored in artifact cases as of 1985 - material "on hand"). It is catalogued as accession 130, catalogue number 6957 and was photographed for the record. The pipe is made of catlinite and is probably an Oneota culture item.

#### **Recheck of Items Lined Out, 1993 NPS NAGPRA Lists**

Several other items were listed in the original 1992 listing of items eligible to NAGPRA Summary, then stricken (Appendix D,, memorandum dated September 1, 1993). These items were checked. Some were deemed eligible to NAGPRA and appear in Table 4; others were left off the lists for consideration. The lined out items that were left off the lists are discussed in the following.

A pipe, described as from the O'Regan Terrace (13AM21) seemed, at first inspection, to be fully eligible. The O'Regan Terrace is the location of a well known cemetery excavated by Keyes and Orr (Wedel 1959:20-25) and the limestone disk pipe type seemed highly plausible. Upon investigation of the records, I found that the pipe had been donated by Dr. Warren Hayes on August 28, 1958 (Accession no. 19, catalogue no. 107), who had obtained it from Ed Sadd, a local who lived a few miles north of Lansing. Sadd apparently manufactured some artifacts for sale (he sold a few to Dr. Field and we found a few unfinished grooved mauls by the grindstone in his back yard a few months after his death, causing Field some consternation), but this pipe appears to be a genuine article. The records offered no locational data; thus, I must assume that the context offered in the 1993 NAGPRA Summary is incorrect.

Three worked catlinite pieces were lined out. I concurred with this decision after determining that they had been picked up by Ellison Orr in or along Pipestone Creek. Since the Dakota Sioux were actively working the quarries at that time, he identified the cut and partially-polished items as Sioux (Dakota) (Orr also often identified Oneota artifacts as "Siouan", probably because of

the language designation "Chiwere Siouan", perhaps as regionally different from "Woodland", which should not be interpreted as of *the* Sioux). The items are probably fairly recent, but could date back to a time before the Sioux took a predominant role in pipestone quarrying. The items (accession no. 2, catalogue numbers 1067-1069) are not completed artifacts.

The catlinite piece from Black Pipe Creek, located in Mellet County, South Dakota, is also identified in Orr's notes as Sioux (Dakota), probably because of the presence of the Sioux in that region. It was probably rejected during manufacture and is partially worked and polished (accession no. 2, catalogue no. 1086). It cannot be tied to any tribe.

The item identified as a "breastplate" from 13AM82, Mound 36 or 36 (sic), EFMO, with Acquisition Type: Field Collection, was also stricken from the list. The entry is fraught with errors. The item is a large, thick, heavy chunk of copper with one hole drilled near an edge. It is amorphous, with irregular edges. It did not come from mound 36 or 37. The site number is correct; it was found on the Nazekaw terrace. The old catalogue record (on file, EFMO) states that the item was "Picked up by Dr. H.P. Field of Decorah near the drainage ditch at the base of the bluff at a point about 1/3 of the way from the Visitor Center to the residences." I suggest that this object does not meet any of the definitions under NAGPRA and therefore recommend that it not be included on the NAGPRA Summary.

The New Albin tablet was also stricken from the list. It was found in a basement excavation in New Albin, was apparently bought from the finder by Fred Orr, who gave it to Ellison Orr. As far as I can determine, it came from an Oneota village context, not from a burial. Tablets of this kind are not uncommon in Oneota village sites, especially those located in western Iowa. However, I know of none that have been recovered in the context of mound, cemetery or burial sites and believe that it is not eligible to the NAGPRA Summary.

The arrow is indeed native made, but lacks tribal identification other than Orr's notes. He may have known something about the item that was not recorded (or, the record was not located), but I cannot be certain of its derivation.

There are two successive entries for pipe stem and bowl (Numbers 1662 & 1663, Numbers 1660 & 1661) in the 1992 Summary; they are stricken from successive Summary listings. They are not recommended as items of cultural patrimony because they do not conform to the definitions afforded in the NAGPRA Final Rule (Appendix B).

The remaining items that were stricken from the original list are either loan items (listed in Table 3) or are derived from EFMO properties. These items are included in Table 4.

All loan items were stricken from my consideration; my interpretation of NAGPRA regulations is that reporting is the responsibility of the loaning institution (see below).

## Items Recommended to Remain on 1993 NAGPRA Summary

Table 2 is simply a reiteration and summary of the conclusions offered in Table 1 and reflects the discussion in the preceding section.

In this table, six sites are represented, all of which suggest burial, cemetery or mound contexts. All of these items in Table 2 are included in Table 4 along with the accession and catalogue numbers. The two loan items have been removed; loan items are presented in Table 3.

There is one item included in Table 2 which has obviously confused persons who catalogued it previously. This is a small Oneota pottery vessel that was recovered from Mound 36 or 37 (Fire Point Mound group, 13AM190) by Dr. H.P. Field in 1928. Field donated this and other items from that mound to the Monument 2/23/58. It is catalogued as a small Woodland vessel, probably because it came from one of the mounds on the Monument, but is definitely a shell-tempered Oneota pot with handles and a unique castellated rim. It probably was not among the original Woodland tradition items included in the mound, assuming that original mound authorship was Woodland people. It probably was intruded into the mound by later Oneota people. Whether it was associated with a burial is not known; the mound context is sufficient to include it as a NAGPRA eligible item.

## Items of Cultural Patrimony

Items of cultural patrimony offer problems when dealing with archeological remains. Defined as "*...items having ongoing historical, traditional, or cultural importance central to the Indian Tribe ... of such central importance that they many not be alienated, appropriated, or conveyed by any individual tribal or organization member. and ... must have been considered inalienable by the culturally affiliated Indian tribe ... at the time the object was separated from the group.*" (Federal Register, Vol. 60, No. 232, 1995), archeologically-derived items are extremely difficult to place as items of cultural patrimony. One item, described below, has been suggested to me as an item of cultural patrimony, but I do not believe that it pertains at all well to the above excerpted quotation.

There was one item that has been suggested as eligible to NAGPRA under Scope 3, cultural patrimony, that I watched for, but did not locate. Verification of its presence at the Monument came to me by way of review comments of the Draft report by Kathleen Miller, Superintendent, EFMO. This was an obvious offering found at the original location of the Ratliffe Isolated Rock (Allamakee County Hwy A26) by Dr. H.P. Field in the early 1940's. The stone is still located along Hwy A26, but was moved from its original location during road construction in the 1950's. The offering consisted of two half shells (not an original pair) which contained seven simple triangular projectile points (Orr catalogue No. 2136; discussed in letter, Orr to Keyes, March 5, 1945). According to Orr's letter, the object was picked up by Dr. H.P. Field from the slumped bank by or beneath the stone and tossed into the back of the car for "the boys" to see. I was one

of the boys who opened the shells and began picking out the projectile points, much to the surprise of all. I believe that the offering remained in the Field collection for some time because I recall looking at it several times. What I did not know was that Field gave it to Orr at some time before his death. Before Field died in the late 1980's, he cleaned closets and gave many items to Luther College, sometimes handing them to Clark Mallam, sometimes to me. When Field died, some of his better pieces remained in his showcase. I had expected to find the shells and arrowpoints there. They were not there, obviously, but I inquired of someone (I think it was Lori Stanley) who said they were in the Monument collections, so I assumed that Field had donated the offering to Effigy Mounds, so was on the lookout for it when doing this study. Because I had not realized that it had gone into the Orr collection in the late '40's, I missed it. I had even looked on the appropriate page of the Orr Index (on file, EFMO), but was seeking information about his catalogue no. 2128, items associated with a burial, and failed to read to the bottom of the page. Five of the points (EFMO access. no. 2, catalogue nos. 9874-9878) and one of the shells (Orr no. for all items is 2136) have been located on display. They have not been photographed for this report, but there should be a photograph of all the points somewhere in the Orr notes and materials. My grandfather, T. T. Henning, made and printed the photograph on his last foray into the world of archeological photography, which he did as a special favor to me and to Ellison Orr, who dearly wanted the photo. My grandfather, who was a portrait photographer, stated unequivocally that he did not take photographs of clam shells and was not going to photograph any more arrowheads for anyone. I remember that statement clearly.

The "offering" is interesting and the fact of its discovery near the rock does suggest that this was a special place. But, is it really an object of cultural patrimony as defined? I believe not. My reasoning revolves around the definition, which does not include items such as this. Further, we have no way of knowing that the Ratliffe Isolated Rock was of importance central to any Indian tribe; in fact, we do not really *know* that the rock with its peculiar petroglyph was sacred at all. So far as I can determine, the rock has been designated as "sacred" by Euro-Americans as a function ascribed to Native Americans. This line of reasoning also places the "offering" concept in some jeopardy as well. I cannot recommend the clam shells with enclosed projectile points as an object of cultural patrimony with the information that is available at this time. The object and the circumstances surrounding it just do not conform to the definition afforded for "objects of cultural patrimony."

### **Items on Loan to Effigy Mounds National Monument**

In the mid- to late-1980's, a number of items suitable for interpretive display in the Monument museum were obtained by loan. Loaning agencies were Luther College, the Iowa Office of the State Archaeologist, and the Iowa State Historical Society. My interpretation of NAGPRA regulations and implementation guidelines is that these items should be reported by the loaning institution rather than by EFMO. I did, however, review the records of items on loan and have prepared a list of those items which I believe are NAGPRA eligible. This list appears in tabular form (Table 3) with the appropriate catalogue and acquisition numbers. All items are either

burial inclusions or are derived from a mound context. The list should be shared with the loaning institutions as a check against their including the items in NAGPRA listings.

### **EFMO Items on Loan to Pipestone National Monument**

Items on loan to Pipestone National Monument are discussed in correspondence dated September 25, 1985, between the respective Superintendents (Appendix E). They were loaned (letter Barrett to Director, January 2, 1958, Appendix E), and have remained at Pipestone National Monument since that time and are catalogued (as loan items) into their collections. All are pipes. All are Accession #2.

Pipe 16 (EFMO Cat #200) is described in Orr's notes: "Pipe tomahawk of English make, that had been acquired by traders by the Indians in early day. Found by a Norwegian settler near the boundary line between Houston and Fillmore counties, Minnesota. Was given by the son of the finder to Mr. Will Thompson of Preston, Minn., and sold by him to me June, 1914 for \$25.00. A field find."

Pipe 66 (EFMO Cat #201) is described in Orr's notes: "Pipe made by Sioux Indians of the Pine Ridge Reservation, S. Dakota. Bowl of the material found on Black Stone creek, in Melitte county, know as Black Hills Pipestone."

Pipe 67 (EFMO Cat #202) is described in Orr's notes: "Pipe purchased by Mr. Waters of Waukon, Ia. It was given to his father just at the close of the Civil War by Mr. John Williamson who served in Company F of the 6<sup>th</sup> Cavalry, and was with Gen. Sully in his campaign against the Sioux Indians who perpetrated the Sioux massacre at New Ulm, Minn., and picked up this pipe on one of the battlefields."

All three pipes on loan to Pipestone National Monument may be regarded as eligible to NAGPRA, depending upon the interpretation of the definition of *items of cultural patrimony*. Following the definition afforded for items of cultural patrimony, my recommendation is that they are not eligible.

### **Items Recommended to NAGPRA Summary**

All items deemed eligible to NAGPRA Summary that are part of the collections of Effigy Mounds National Monument are listed with appropriate documentation in Table 4. The initial key to my recommendations was contextual. Access to context was gained primarily through the Accession records (on file, EFMO), followed by data made available through the catalogues. The descriptions offered are complementary to those offered in previous listings of NAGPRA Summary eligible items if only that they are comparable to those listings.

The key to understanding Table 4 is the accession number. The accession number often led

directly to (or away from, in some instances) items that were NAGPRA Summary eligible. Accession numbers 1 and 5, for instance, were always Beaubien excavation materials collected the seasons of 1950 and 1952, respectively. In the summer of 1950, Beaubien excavated two small conical mounds located just east of the Monument headquarters, one of which (Mound 55) contained grave items (Beaubien 1953a). All items recovered during this season are curated at EFMO under accession number 1. Then, in the summer of 1952, Beaubien conducted excavations on Mounds 43, 27, 24, and 7 at the Sny Magill group, and Mounds 57, 19, 30, 48 and 49 on the Nazekaw Terrace (13AM82) (Beaubien 1953b). All items that Beaubien found in the 1952 excavations are curated under accession number 5. All items from the Ellison Orr collection are listed under accession number 2. An item presented to EFMO by Dr. Warren Hayes of Waukon is listed under accession number 3. The items excavated from either Mound 36 or 37 (site number in records is 13AM82, but the mound dug was on Fire Point (13AM190, the number used in Table 4) by H.P. Field in 1928 are listed under accession number 16. Items listed under accession number 56 were excavated from Mound 42 (13AM190) by James Mount, EFMO Archeologist. Items listed under accession number 58 were recovered from Mound 61 (13AM82), those under numbers 60 (Mound 66, 13CT26) and 64 (Mound 71, 13CT26) were excavated by Garland Gordon, EFMO Archeologist. The items listed under accession number 65 were excavated by John Ingmanson from Mound 72 (13CT26). The items listed under accession number 109 were excavated by Garland Gordon from Mound 38 (13AM190). Accession number 111 is material from Mound 41 (13AM190) excavated by Garland Gordon. Accession number 114 is material from Mound 52 (13AM190) excavated by Garland Gordon. Accession number 118 is material recovered from Mound 62 by Robert Kile, EFMO. The accession number functioned as a good research base from which correlations of data could begin. Accession numbers proved to be consistent and uniformly correct through my investigations.

Table 4 offers corrected data about items judged eligible to NAGPRA Summary that were identified and located in the collections at EFMO. The table is designed to present all items found that are eligible and why. My decisions were based on contextual data, i.e., where the object came from.

Two items that had no accession or catalogue numbers were found in a small box in one of the storage cabinets. There was a small slip of paper in the box which identified the items (the first two listed in Table 4) as recovered from Mound 55 by Beaubien. I had looked through all the cabinets in my prior visit, but had not seen these items before. Most surprising was that some burned fragments could be tentatively identified as human bone. These have been sent to Shirley Schermer, Iowa Office of the State Archaeologist, for verification. Two artifacts were in the box, both made of antler. Since they were not given a catalogue number, they were arbitrarily assigned numbers -1 and -2. Number -1 is an antler flaking tool, characterized by cut and battered marks over its surface. It has been coated with a preservative and may at one time have been on display. The other item is in very poor condition, covered with dirt and falling apart. It may have been a "beamer", used for flaking chert tools and for a variety of tasks that involved both hammering and rubbing. Neither of these items is mentioned in Beaubien's report detailing the results of his excavations of Mound 55 (Beaubien 1953a:127-31), but the tentatively

identified human bone did appear to have been cremated (burned, possibly as part of post-mortem ceremony performed prior to inhumation), consistent with his descriptions. There was also material that appeared to be the remnants of paper sack that adhered tightly to some of the bone fragments. The "beamer" could easily have been mixed with the bone and not identified, but the flaking tool, clean and treated with preservative, obviously had been recognized as a tool by someone. These objects might be *Associated* artifacts, but we cannot be certain that the "beamer" and the antler flaking tool were actually recovered from Mound 55. Thus, they are included with the unassociated artifacts on the strength of the label indicating that they came from Mound 55. The human bone and Schermer's identifications will be discussed in Part Two of this report.

There are some items that I did not locate and others that I suspect might have come from a NAGPRA Summary-eligible location, but could not be sure. Perusal of reports of excavations that have been done on EFMO property has suggested that either I did not properly identify items that are described or that they are lost.

Beaubien (1953a) illustrates a fragment of textile from Mound 57 in his Figures 3 and 4 (it is discussed further in his Appendix A, written by Robert L. Hulbarry) that probably is in the collections, but I failed to see it. If present, I recommend that it meets the definitions of NAGPRA.

Materials from Logan's excavations of Mound 33 on Fire Point (13AM190) are listed in Table 4 under accession number 4. The items recovered and their contexts within the mound are presented in detail by Logan (1971). All were found in the collections except for one pearl bead. If the bead is found, I recommend that it be included in the EFMO NAGPRA Summary.

I have alluded to small Oneota pottery vessels that are part of the Orr collection, some of which might be eligible for inclusion to the NAGPRA Summary, given precise locational data. These are "personal pots" that derive from Oneota sites, probably sites on the Upper Iowa River valley. They are often found as grave inclusions, but also appear in village sites. The eligibility of some of these small pottery vessels might be determined following some intensive library and archival research, comparing individual pots that might have been photographed and published over the years. The time frame for this study would just not allow this detailed kind of research, which might prove entirely negative irrespective of the amount of time available to do the work. For the time being, I regard them as ineligible to NAGPRA because of poor locational data.

The Orr collection curated by the Monument contains a number of pottery vessels and other objects that were recovered from Oneota and Woodland burial sites, many of which are written up and illustrated by Mildred Wedel (1959). Given time, it is reasonable to work through the various numbers and descriptions offered by Wedel and in Orr's notes, letters and catalogues to ascertain precisely where many of these objects came from. Unfortunately, all too much time was directed during this study to unraveling the data afforded by the prior recommendations, leaving no opportunity to work through the records of these items.

## PART TWO

### EFFIGY MOUNDS NATIONAL MONUMENT INVENTORY

This part of the report is brief, restricted to discussion and evaluation of the 1995 Effigy Mounds National Monument Inventory, "Listing of Human Remains and Associated Funerary Objects For Which No Culturally Affiliated Present-Day Indian Tribe Can be Determined" (Appendix D). It contains only two entries, both briefly discussing human remains that are currently curated at the Midwest Archeological Center. The first entry (Accession 148: Effigy Mounds number) briefly discusses human remains that I excavated in the course of evaluating and repairing damage to Mound 43, Sny Magill Unit, EFMO. The second entry briefly discusses a bundle burial excavated from a conical mound in the Devils Den Mound Group, located between Marquette and the Yellow River, under the direction of Robert T. Bray. All other human bone that had been identified in the EFMO collections was deaccessioned in 1986 and 1990 (the lists are reproduced in Appendix D). Those deaccessioned remains were analyzed and reported upon by Fisher and Schermer (1987), returned to Effigy Mounds and subsequently lost. Those remains and the objects that were once associated with them are discussed in a separate report.

**Additional Human Remains** Some fragments of human bone from Mound 55 were located in the collections; the artifacts found in the same small box are discussed on page 13. The burned bone fragments were sent to Shirley Schermer who identified some pieces as human (Email, Schermer to Henning, 3/12/98, Appendix C). The fragments are currently at the Office of the State Archaeologist, University of Iowa.

**Accession 148** The entry in the Accession Book at Effigy Mounds is 148, (the 1995 Inventory number given is 147, which at Effigy Mounds is the number for "rocks, minerals, fossils and one bone" entered 8/22/96) is incorrect with the identification of the mound investigated as Mound 68. I did the work, assisted by Tim Mason (Henning 1991); it was Mound 43, the same mound that Beaubien excavated in 1952 (Beaubien 1953b). I had also investigated vandalism at Mounds 68 and 62; the work was done the previous year and resulted in finding no human remains. The work I was called upon to do at Mound 43 was to investigate and repair damage done by vandals that same year. I was very surprised to encounter fragments of human bone in the relic hunters' backdirt pile because Beaubien had been very thorough in his investigations of the mound. I knew that he had left some balks near the center of the mound where the damage had occurred and suspected that the vandal's hole had intruded into one of those. This possibility was investigated in the field, but all the soil along the pit edges was unconsolidated and recently disturbed, suggesting that the vandals had intruded into Beaubien's old excavations and had encountered nothing but previously excavated soil. The bone encountered was fragmentary, but in quite good condition. Beaubien described all the bone found in 1952 as poor in condition. The presence of the bone we found remains a mystery.

The human bone found in the 1991 repair work on Mound 43 was turned over to MWAC and



remains there (Appendix D).

**Accession 12** is a bundle burial recovered during excavations directed by Robert T. Bray, Park Archeologist (Appendix D). Assisting Bray were Ralph Blackwell, Robert Kile and (?) Dave Thompson. The burial was probably taken from Mound 2 of the Devils Den Mound Group. It was recovered from the mound in a plaster jacket and placed on display in the EFMO museum and removed from display in the early 1970s. It was transferred to the Midwest Archeological Center at some time prior to July, 1973. It has not been professionally analyzed. No artifacts were associated with the burial.

The bundle burial is currently curated at the Midwest Archeological Center (Appendix D).

### SUMMARY REMARKS

In the course of satisfying the Scope of Work for Item 1, Objective 1 of RFQ 6290-7-004, I have reviewed past recommendations of items in the Effigy Mounds National Mounds collections, have physically reviewed those collections and records and have prepared my recommendations. Three lists of materials and recommendations (copies in Appendix D) were prepared pertinent to these collections. The first is a summary produced in 1992 under the direction of Tom Munson, then Superintendent. The second is a reiteration of that list (actually, there are two copies of that list, one with notes, the other with items precisely lined out) that dates from September 1, 1993 and the third, dated October 20, 1993, summarizes the second listing (see Appendix D). My assumption is that the last listing represents the final list NAGPRA Summary materials curated in the collections at EFMO as of 1993. It is my understanding that these are preliminary evaluations that were made with the understanding that they were subject to evaluation and revision as new information was acquired by EFMO.

My task has been to sort out the rationale for the original lists, then to evaluate those lists and to prepare my recommendations, stating my reasons for removal of objects from the original lists as well as my reasons for recommending additional objects as eligible for NAGPRA Summary and Inventory. The original Summary listing has proven very helpful, if only because information not available on the later two lists was readily available on it. Thus, I utilized and have commented upon all three listings.

My recommendations include removal of six (6) entries from the original list (Table 1), either because of the lack of contextual data or that the items were not from a burial, cemetery, mound or sacred place. Two (2) entries are recommended for removal because they are on loan and NAGPRA responsibility should, in my estimation, remain with the loaning institution. Eight (8) entries included on the original 1992 summary should remain as NAGPRA eligible; all were found in graves or in a mound and are Unassociated Objects as defined by NAGPRA.

I went through all the loan items and records pertaining to objects on loan to EFMO. A table

(Table 3) listing the objects, appropriate numbers, loaning institution and other information was then prepared, including all objects that I believe are NAGPRA eligible. All are derived from burial or mound contexts and are Unassociated Objects.

Then, using as a base the NAGPRA eligible items entered in the 1992 and two 1993 lists, I added items curated by EFMO that I believe are NAGPRA eligible. The initial and most important criterion for NAGPRA eligibility is contextual. Thus, all items that were associated with human remains or were recovered from a mound were automatically considered eligible. Items derived from a village context were not, but would have been eligible had they been associated with a burial (these sometimes appear in village sites, especially Oneota villages). The ethnographic items were less certainly assigned. I know that Ellison Orr, who donated most of his extensive and well-documented collection of archeological, ethnographic and geological specimens to Effigy Mounds in 1950, used "Sioux" very broadly. He regularly referred to Oneota pottery as "Siouan" although Oneota and "Sioux" are not synonymous, and his own records document his readiness to identify worked catlinite pieces from Pipestone Creek as "Sioux" because the Sioux were the principal tribe using the quarries *at that time*. Today, we know that the Sioux did not always dominate quarry use and that the pieces might have been discarded by members of any one of several tribes. Thus, I am cautious about those assignments and, unless the ethnographic items bear distinguishing features or additional documentation, I hold them in doubt. In my Table 4, which summarizes all items that I believe are NAGPRA eligible, there are 71 entries, all archeological specimens.

I mentioned in the preceding text that some items mentioned in published descriptions of EFMO mound excavations were not located; specifically, a charred fabric specimen from Mound 57 excavated by Beaubien (1953a) and a pearl bead excavated from Mound 33 by Logan (1971:41; 1976:124). Another check of the appropriate drawers and records should be implemented for these items. I have also noted that some of the Oneota "personal pots" and a number of other items in the Orr collection should be the object of further investigation to determine their original location, thus allowing us to ascertain more certainly their NAGPRA eligibility.

Part Two of this study has been directed toward evaluation of the NAGPRA Inventory listing of human remains (1990). The remains listed are at the Midwest Archeological Center. No associated artifacts were recovered with those remains. Human bone and artifacts located in the course of this study in the collections at EFMO have been evaluated and described.

The study has been alternatively frustrating, mystifying and delightful. Often, I was confused by numbers and identifications (items listed as "copper" were particularly irritating) and was often frustrated by the three catalogue numbers that appear on some objects and which refer to different catalogue entries, often with different amounts of information offered. For a time, I thought that Field Collection (see lists, 1993, for examples) meant H.P. Field collection, but it meant "collected from the field" most of the time. That was a mystery quickly cleared up, but seemed to never go away permanently. The delight came in bringing many mysteries to solution, putting things in order and seeing congruence between accession numbers (which are

consistently correct and always helpful), catalogue numbers (which are also correct if you are reading the right one), and in seeing and handling artifacts are familiar. I hope this report furthers the effort of Effigy Mounds National Monument in satisfaction of its NAGPRA responsibilities.

## RECOMMENDATIONS

There are recommendations scattered throughout the report. In the following, these recommendations are summarized in very abbreviated form.

- Collections cataloging should be undertaken, employing a more flexible program. Paragon and ACCESS are programs that could comprehend all the data available for each item in the collections. Great care should be taken in artifact identification, the numbers entered (many numbers are improperly transposed), and the information that is recorded. A host of the errors encountered in the course of this research can be corrected.
- Additional research should be conducted and additional items added to the Summary. The Orr collections should be perused for additional materials recovered from the O'Regan Cemetery, the Woolstrom, Elephant, New Galena, and Hogback sites, to name a few. Data from these sites just could not be gathered in the time available for this project, but this definitely needs to be done. Too much time was required to sort out catalog numbers, tie numbers to artifacts and in finding artifact locations; problems that will not go away for future work.
- EFMO should inquire of the loaning institutions whether items on loan to EFMO have been considered under NAGPRA.
- The EFMO Superintendent should review my recommendations pertinent to items of cultural patrimony, which were made following the definitions as I understand them.
- The EFMO Superintendent should note that some items on loan to Pipestone National Monument may be eligible to NAGPRA. Again, the interpretation of the definition of *objects of cultural patrimony* is important to that decision.
- On page 13 of this report, I mention a textile fragment recovered by Beaubien from Mound 57, Nazekaw Terrace. It is probably in one of the collections drawers. If it can be located, I recommend that it be included among the NAGPRA eligible items.
- The human bone fragments located (see page 3) should be added to the existing NAGPRA Inventory for Effigy Mounds National Monument.

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## TABLES

Table 1. Recommendations for items included in Servicewide Summary, NPS, Kennedy letter, 10/20/1993

No. & Object	Object Derivation	Acq. Type	Acq. Date	Cultural Designation	Tribal Affiliation	Recommendations
1 Scraper	NE IA	Gift	6/27/50	Oneota	Chiwere, ?Ioway	NAGPRA eligible: burial context, unassociated object
2 Scrapers, Awl	13AM21, O'Regan Terrace	Gift	6/27/50	Oneota	Chiwere, ?Ioway	NAGPRA eligible, burial context, unassociated objects
24 Sherds	Mnd 2, NE Iowa, Paint Rock Creek	Gift	6/27/50	Lt. Woodland	Unknown	NAGPRA eligible, mound context, unassociated objects
3 Projectile pts	13AM14, Burke's Mound	Gift	6/27/50	Woodland, Oneota	Unknown	<b>Remove: Mound is a natural formation; poor context</b>
2 Abraders, "Pot"	Terrace, U. Iowa River	Gift	6/27/50	Oneota	Chiwere, Ioway?	NAGPRA eligible: burial context, unassociated objects; "pot" is a hematite concretion
1 Red Ochre	Lansing, Iowa	Field Collection	pre-1970	Unknown	Unknown	<b>Remove: no context</b>
1 Pot	13AM190, Md. 36 or 37, EFMO	Gift	2/23/58	Oneota	Chiwere, Ioway?	NAGPRA eligible: mound context, unassociated object
1 Red Ochre	13PM4, Kimball Md., Plymouth Co., Ia.	Gift	6/27/50	Mill Creek	Unknown	<b>Remove: Village site, not burial mound</b>
Rubbing stone, concretion, paint stone, galena crystal	13AM190, Md. 36 or 37, EFMO	Gift	2/23/58	Woodland: Effigy Mounds	Unknown	NAGPRA eligible: mound context, unassociated objects
1 Pipe	NE Iowa	Gift	11/18/61	Unknown	Unknown	<b>Remove: no context</b>
1 Copper sheet	NE Iowa	Field Collection	1950	Unknown	Unknown	Probable NAGPRA eligible: mound context, unassociated object
1 Red Ochre	13AM190, EFMO	Field Collection	Pre-1985	Unknown	Unknown	Mound Context: Unassociated Funerary Object
1 Red Ochre	13CT18, Sny Magill	Field Collection	8/17/52	Lt. Archaic, Woodland	Unknown	Mound Context: Unassociated Funerary Object
1 Copper	Unknown	Field Collection	Pre-1985	Unknown	Unknown	<b>Remove: no context</b>
1 Pipe bowl	Unknown	Field Collection	Pre-1985	Oneota	Unknown	<b>Remove: no context</b>
1 Pipe bowl	Unknown	Gift	1/19/70	Oneota	Unknown	<b>Remove: no context</b>

Table 1. Recommendations for items included in Servicewide Summary, NPS, Kennedy letter, 10/20/1993

No. & Object	Object Derivation	Acq. Type	Acq. Date	Cultural Designation	Tribal Affiliation	Recommendations
1 Pot	13AM60, NE Iowa, Malone Cemetery	Loan	4/27/87	Oneota	Chiwere, ?Ioway	<b>Remove: on loan from Luther College.</b>
1 Core	13AM150, Luther-Hennessy Md.	Loan	3/18/87	Middle Woodland		<b>Remove: on loan from Luther College</b>
1 Awl sharpener	Terrace of Upper Iowa River	Gift	6/27/50	Oneota	Chiwere, ?Ioway	Burial context: Unassociated Funerary Object



Table 2. Unassociated Funerary Objects included in Servicewide Summary, 1993: recommended to remain on NAGPRA inventory

Object & No.	Context Information	Cultural Designation	Tribal Affiliation	Discussion
Scraper, chipped (1)	grave, U. Iowa terrace	Oneota	Ioway	Found in grave with 2 abraders, pot, copper beads, awl sharpener
Scrapers (2) Bone awl (1)	Grave, O'Regan Terrace 13AM21	Oneota	Ioway	Found in grave, probably by Keyes and Orr
Potsherds (24)	Mnd 2, Paint Rock Creek mound group	Woodland, possible Oneota	Not known	Mound context
Abraders (2), pot (1)	Terrace, U. Iowa River	Oneota	Ioway	Oneota cemetery
Pot, small (1)	EFMO (13AM190), Mound 36 or 37	Oneota	Ioway	Probably intrusive inclusion in Woodland mound
Rubbing stones (4), concretion (1), paint stone (1), galena crystal (1)	EFMO (13AM190), Mound 36 or 37	Woodland	Not known	Mound context
Red ochre (1)	13AM190, Fire Point Mounds, EFMO	Not known	Not known	Mound context
Red ochre (1)	13CT18, Sny Magill mounds	Not known	Not known	Mound context
Copper sheet	?Mound 55, 13AM82	Not known	Not known	Probable mound context
Awl sharpener	Terrace, U. Iowa River	Oneota	?Ioway	Burial context

Table 3. NAGPRA items on loan to Effigy Mounds National Monument (loaned by Luther College [LC], Office of the State Archaeologist [OSA], and State Historical Society [SHS])

Loan from	Object and No.	Cat. No.	Acc. No.	Context	Culture	Affiliation	Justification
LC	*Pottery vessel (1)	7070	138	Malone Cemetery, 13AM60	Oneota	Ioway	Burial context, grave inclusion
OSA	*Chert core (1)	7072	139	Luther-Hennesey Mound, 13AM150	Middle Woodland	Unknown	Mound context, grave inclusion
LC	Chert blade(1)	6992	138	Flynn Cemetery (13AM43) Burial 1	Oneota	Ioway	Burial context, grave inclusion
LC	Chert blade (1)	6993	138	Flynn Cemetery (13AM43) Burial 1	Oneota	Ioway	Burial context, grave inclusion
LC	Chert blade(1)	6994	138	Flynn Cemetery (13AM43) Burial 1	Oneota	Ioway	Burial context, grave inclusion
LC	Chert blade (1)	6995	138	Flynn Cemetery (13AM43) Burial 1	Oneota	Ioway	Burial context, grave inclusion
LC	Chert blade (1)	6996	138	Flynn Cemetery (13AM43) Burial 1	Oneota	Ioway	Burial context, grave inclusion
LC	Metal bead (1)	7023	138	Flynn Cemetery (13AM43)	Oneota	Ioway	Burial context, grave inclusion
LC	Metal bead (1)	7024	138	Flynn Cemetery (13AM43)	Oneota	Ioway	Burial context, grave inclusion
LC	Metal bead (1)	7025	138	Flynn Cemetery (13AM43)	Oneota	Ioway	Burial context, grave inclusion
LC	Metal bead (1)	7026	138	Flynn Cemetery (13AM43)	Oneota	Ioway	Burial context, grave inclusion
LC	Figurine head (1)	7029	138	Keller Mound (13AM243)	Middle Woodland	Unknown	Mound context
SHS	Pottery vessel (1)	7064	138	Hog Back Mound Group (13AM137)	Oneota	Ioway	Mound context
SHS	Grooved bear canine (1)	7068	140	Frenchtown Mounds (13CT166)	Woodland	Unknown	Mound context
SHS	Grooved bear canine (1)	7069	140	Frenchtown Mounds (13CT166)	Woodland	Unknown	Mound context
*items listed in Servicewide Summary of Unassociated Funerary Objects, 1993							

Table 4. Items recommended to NAGPRA Summary (includes some items in Table 1, all items in Table 2 and additional items)

Object Name	Cat. No.	Access. No.	Scope	Description	Justification for Recommendation: Context
Antler artifact	-2	1	1	Antler flaking tool	Mound 55, Effigy Mounds (13AM82)
Antler artifact	-1	1	1	Antler artifact, possible beamer	Mound 55, Effigy Mounds (13AM82)
Copper sheet	3234	1	1	Small flat sheet of copper, perforated one end	Possible: Mound 55, Effigy Mounds (13AM82)
Flake	3475	1	1	Knife River flint flake, heat spall (2 pieces glued together)	Mound 55, Effigy Mounds (13AM82)
Biface	3480	1	1	Projectile point /knife fragment	Mound 55, Effigy Mounds (13AM82)
Stone	3481	1	1	Possibly unmodified stone	Mound 55, Effigy Mounds (13AM82)
Stone	3484	1	1	Possibly unmodified stones (2)	Mound 55, Effigy Mounds (13AM82)
Biface fragment	3485	1	1	Knife River flint biface frag. or unfinished proj. point	Mound 55, Effigy Mounds (13AM82)
Tooth fragment	3486	1	1	burned canine fragment (?bear) joins 3487 and 2 smaller frags	Mound 55, Effigy Mounds (13AM82)
Tooth fragment	3487	1	1	burned canine fragment (?bear) joins 3486 and 2 smaller frags	Mound 55, Effigy Mounds (13AM82)
Stone	3488	1	1	Stone remnant	Mound 55, Effigy Mounds (13AM82)
Biface	7078	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, Effigy Mounds (13AM82)
Copper breastplate	7082	1	1	Middle Woodland copper gorget or breastplate	Mound 57, Effigy Mounds (13AM82)
Biface	7086	1	1	Large Snyders Notched biface of Knife River flint	Mound 55, Effigy Mounds (13AM82)
Bear canine	9862	1	1	bear canine, hole drilled at proximal end	Mound 55, Effigy Mounds (13AM82)
Uniface	4	2	1	End scraper, Oneota	Burial (b) (3) ( )
Awl, bone	8	2	1	Deer bone, tip broken off	Oneota burial, O'Regan Terrace (13AM21)
Pottery	55-78	2	1	24 pieces of pottery	Mound 2, Paint Rock group, Allamakee County, Iowa
Uniface	80	2	1	End scraper, Oneota	Burial, O'Regan Terrace (13AM21)
Abrader	309	2	1	Arrowshaft abrader, sandstone	Burial (b) (3) ( )
Hematite concretion	356	2	1	Previous identification as pottery vessel; is a concretion, perhaps drilled out.	Burial ((b) (3) ( ) ( ))
Awl sharpener	7096	2	1	Oneota, sandstone	Burial ((b) (3) ( ) ( ))
Copper bracelet	9864	2	1	Small copper bracelet	Associated with child burial, O'Regan Terrace (13AM21)
Copper bracelet	9865	2	1	Small copper bracelet	Associated with child burial, O'Regan Terrace (13AM21)
Metal cone	9866	2	1	Copper/brass sheet metal cone, heavy ornament or punch	Associated with child burial, O'Regan Terrace (13AM21)
Conch Columella	2432	3	1	Large conch/whelk columella, suspension hole	Great temple mound (?Craig mound, Spiro), Le Flore Co., Okla.

Table 4. Items recommended to NAGPRA Summary (includes some items in Table 1, all items in Table 2 and additional items)

Object Name	Cat. No.	Access. No.	Scope	Description	Justification for Recommendation:Context
Mica	3360	4	1	Rectangular mica piece	Mound 33, Effigy Mounds (13 AM190)
Chert drill	3361	4	1	Chert flake drill (tip broken off)	Mound 33, Effigy Mounds (13AM190)
Chert flake	3362	4	1	Chert flake, perhaps used	Mound 33, Effigy Mounds (13AM190)
Copper breastplate	7083	4	1	Middle Woodland copper gorget or breastplate	Mound 33, Effigy Mounds (13AM190)
Chert biface	3930	5	1	Projectile point	Mound 7, Sny Magill Mounds (13CT18)
Chert biface	3931	5	1	Projectile point	Mound 7, Sny Magill Mounds (13CT18)
Chert biface	3932	5	1	Projectile point	Mound 7, Sny Magill Mounds (13CT18)
Chert biface	3933	5	1	Projectile point	Mound 7, Sny Magill Mounds (13CT18)
Pottery	3951	5	1	Bodysherds, 4 joined, Middle Woodland	Mound 43, Sny Magill Mounds (13CT18)
Red ochre	3955	5	1	Red ochre	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	3958	5	1	Projectile point	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	3977	5	1	Projectile point	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	7080	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	7081	5	1	Late Archaic-Early Woodland Red Ochre blade	Mound 43 Sny Magill mound group (13CT18).
Copper Beads	9435	5	1	Small copper cylindrical beads (Beaubien, 1953 records 12; only 5 located)	Mound 43, Sny Magill mound group (13CT18)
Pottery	9891	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill Mounds (13CT18)
Pottery	9892	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill Mounds (13CT18)
Pottery	9893	5	1	Pottery, Middle Woodland	Mound 24, Sny Magill Mounds (13CT18)
Chert uniface	9894	5	1	Side scraper	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	9895	5	1	Projectile point	Mound 43, Sny Magill Mounds (13CT18)
Chert biface	9896	5	1	Projectile point	Mound 43, Sny Magill Mounds (13CT18)
Hammerstone	9897	5	1	Chert hammerstone	Mound 43, Sny Magill Mounds (13CT18)
Pottery vessel	658	16	1	Small pottery jar, Oneota	Mound 36 or 37, Effigy Mounds (13AM190)
Abraded stone	1007	16	1	Abraded, flat river pebble	Mound 36 or 37, Effigy Mounds (13AM190)
Concretion	1134	16	1	Hematite concretion, polished	Mound 36 or 37, Effigy Mounds (13AM190)
Paint Stone	1135	16	1	Abraded hematite fragment	Mound 36 or 37, Effigy Mounds (13AM190)
Galena	1136	16	1	Unworked galena	Mound 36 or 37, Effigy Mounds (13AM190)
Pottery	3464	56	1	Bodysherd, Woodland	Mound 42, Effigy Mounds (13AM190)
Pottery	3465	56	1	Bodysherd, Woodland	Mound 42, Effigy Mounds (13AM190)
Red ochre	3466	56	1	Glass jar of red ochre and dirt	Mound 42, Effigy Mounds (13AM190)
Rimsherd	3513	58	1	Woodland rimsherd	Mound 61, Effigy Mounds (13AM82)
Chert biface	3543	58	1	Small projectile point	Mound 61, Effigy Mounds (13AM82)
Chert biface	3546	58	1	Small projectile point	Mound 61, Effigy Mounds (13AM82)

Table 4. Items recommended to NAGPRA Summary (includes some items in Table 1, all items in Table 2 and additional items)

Object Name	Cat. No.	Access. No.	Scope	Description	Justification for Recommendation:Context
Chert biface	3547	58	1	Small projectile point	Mound 61, Effigy Mounds (13AM82)
Chert biface	3548	58	1	Small projectile point	Mound 61, Effigy Mounds (13AM82)
Chert biface	3549	58	1	Small projectile point	Mound 61, Effigy Mounds (13AM82)
Chert biface	3799	60	1	Projectile point	Mound 66, Effigy Mounds
Charcoal	3775	64	1	Bottle of large charcoal fragments	Mound 76, Effigy Mounds
Charcoal	3776	65	1	Bottle of large charcoal fragments	Mound 71, Effigy Mounds
Soil	3782	65	1	Bottle of soil	Mound 72, Effigy Mounds
Pottery	3452	109	1	Bodysherds (3), Woodland	Mound 39, Effigy Mounds (13AM190)
Pottery	3453	109	1	Bodysherds (2), Woodland	Mound 39, Effigy Mounds (13AM190)
Flake	3463	111	1	Struck chert flake	Mound 41, Effigy Mounds (13AM190)
Galena	3473	114	1	galena chunk, not modified	Mound 52, Effigy Mounds (13AM190)
Rimsherd	3725	118	1	Woodland rimsherd	Mound 62, Effigy Mounds (13AM113)

**PLATES**

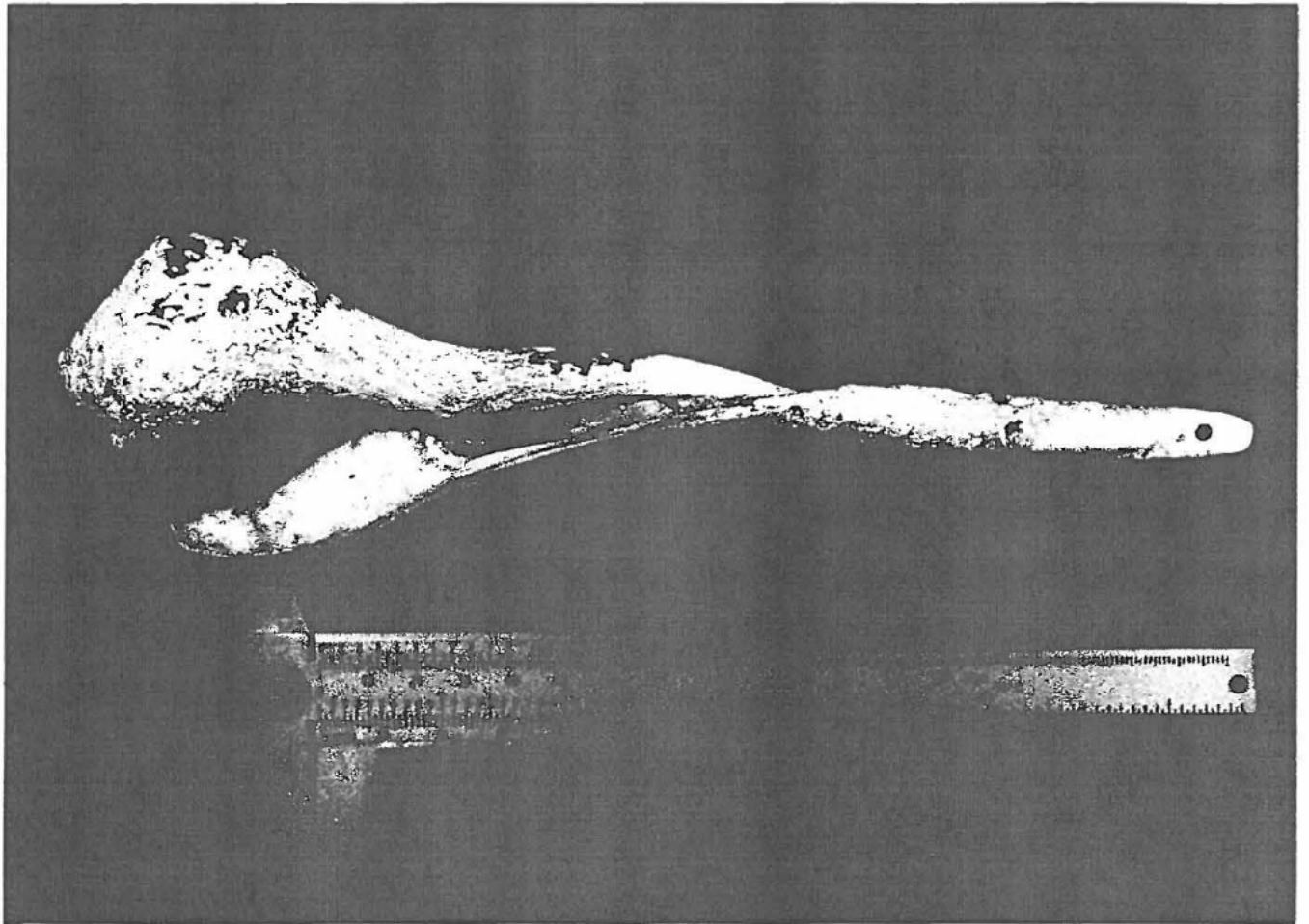


Plate 1. Conch or Whelk columella, modified, suspension hole labeled *Great Temple Mound, Le Flore Co., Oklahoma* (?Craig Mound, Spiro Mound Group). Accession # 3, Catalogue # 2432

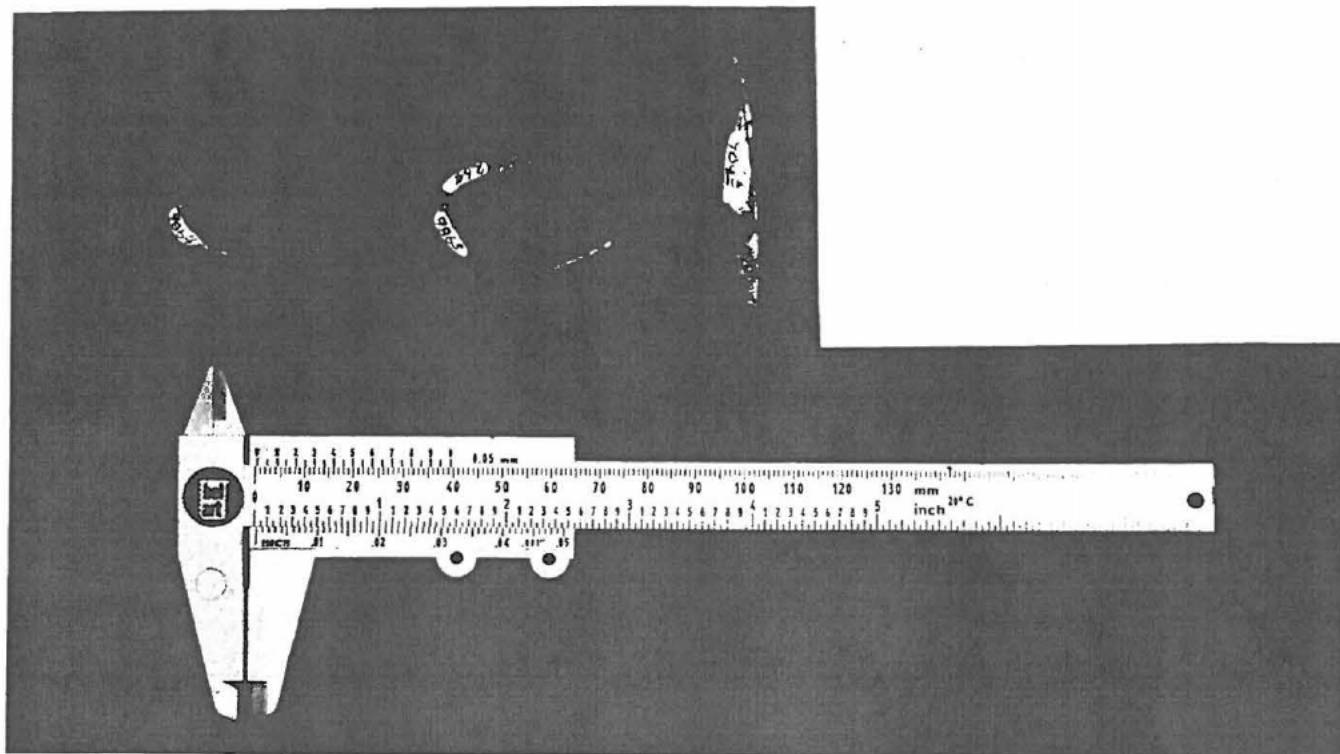


Plate 2. Copper bracelets and ornament or punch from grave, O'Regan Terrace (13AM21).  
Accession # 2, Catalogue #'s 9864, 9865, 9866.

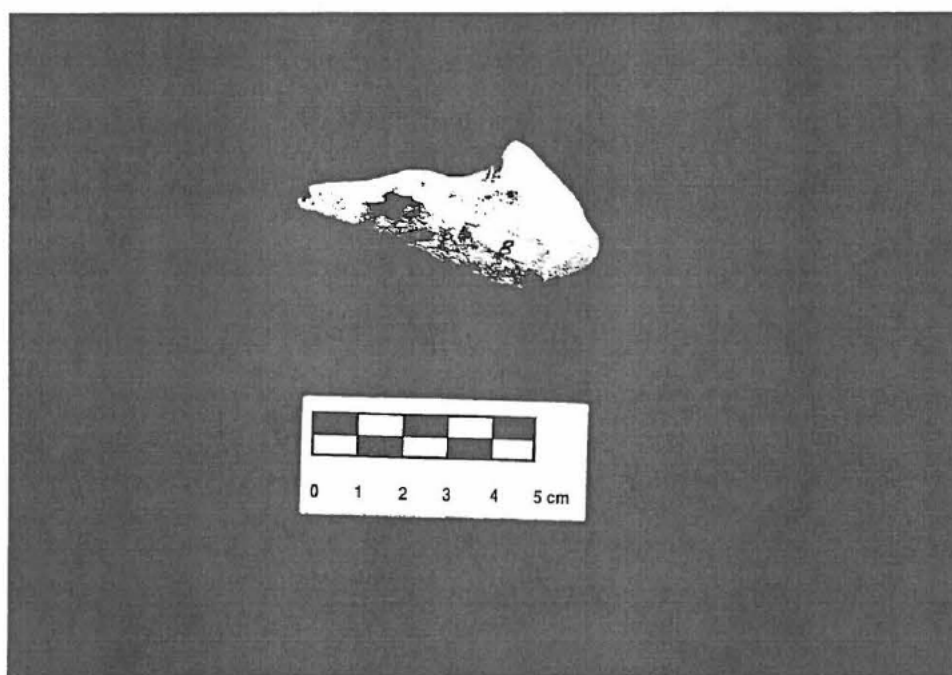


Plate 3. Bone awl or punch (tip broken) (Accession #2, Catalogue #8) from burial, O'Regan  
Terrace (13AM21), found in association with flake end scraper (Accession #2, Catalogue #4),  
not illustrated. (Not the same burial as items in Plate 2)



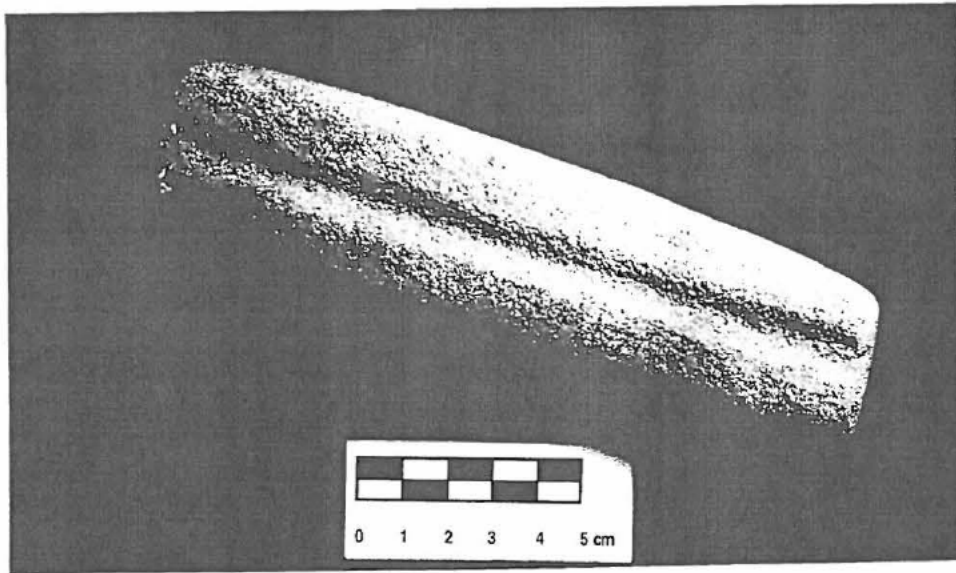
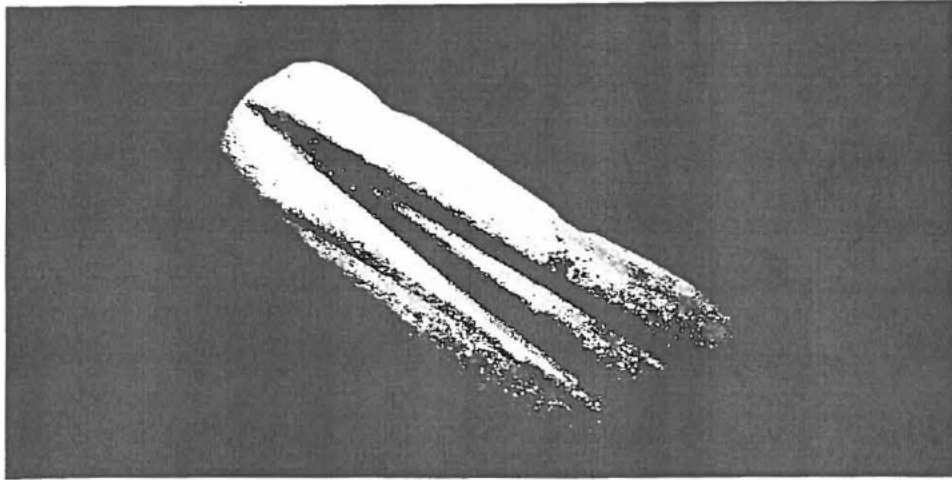


Plate 4. Items recovered from burial, Upper Iowa River valley. Upper, hematite concretion, ?drilled out (Accession #2, Catalogue #356); middle, awl sharpener (Accession #2, Catalogue #309), lower, arrowshaft abrader (Accession #2, Catalogue #309). Same scale, all items.

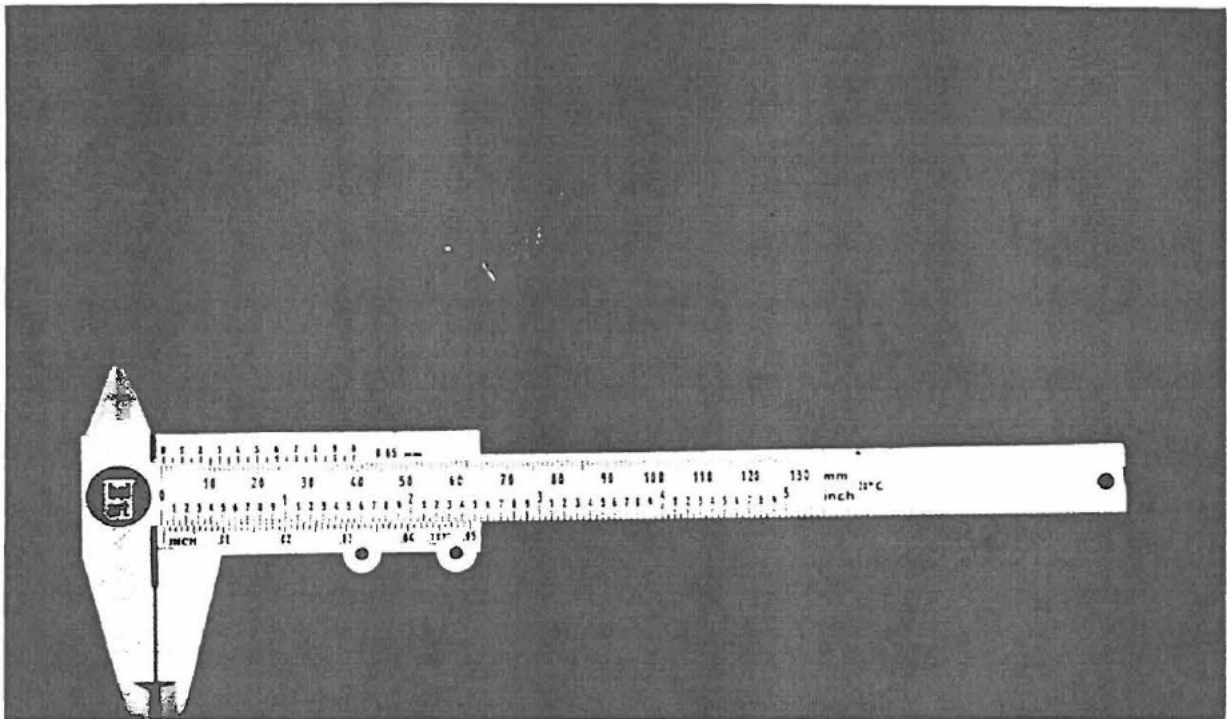
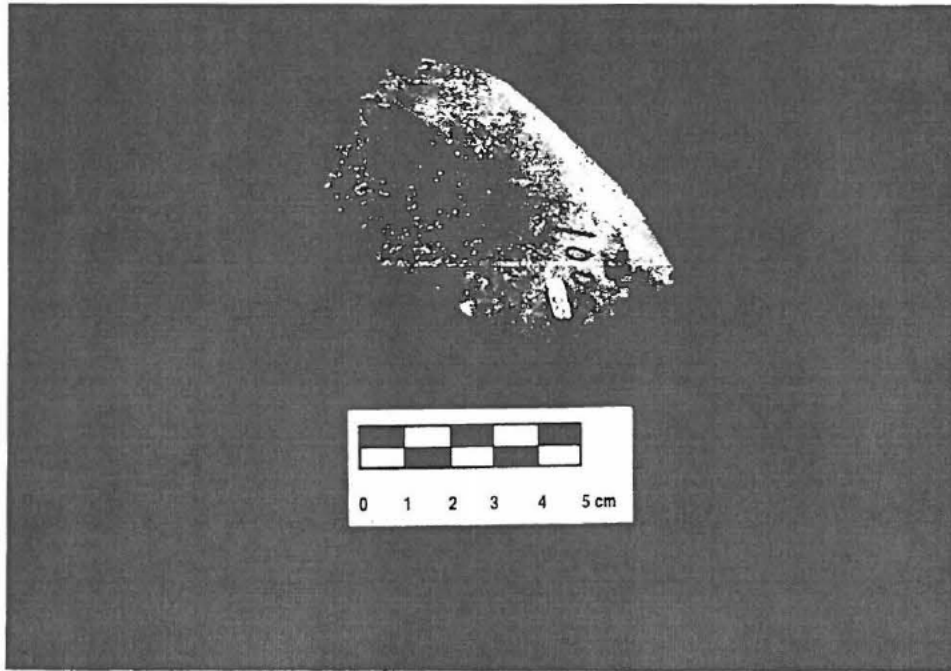


Plate 5. Artifacts from Mound 36 or 37, Fire Point (13AM190), EFMO. Upper, abraded flat river pebble (Accession #16, Catalogue #1007); lower, Oneota pottery vessel (Accession #16, Catalogue #658).

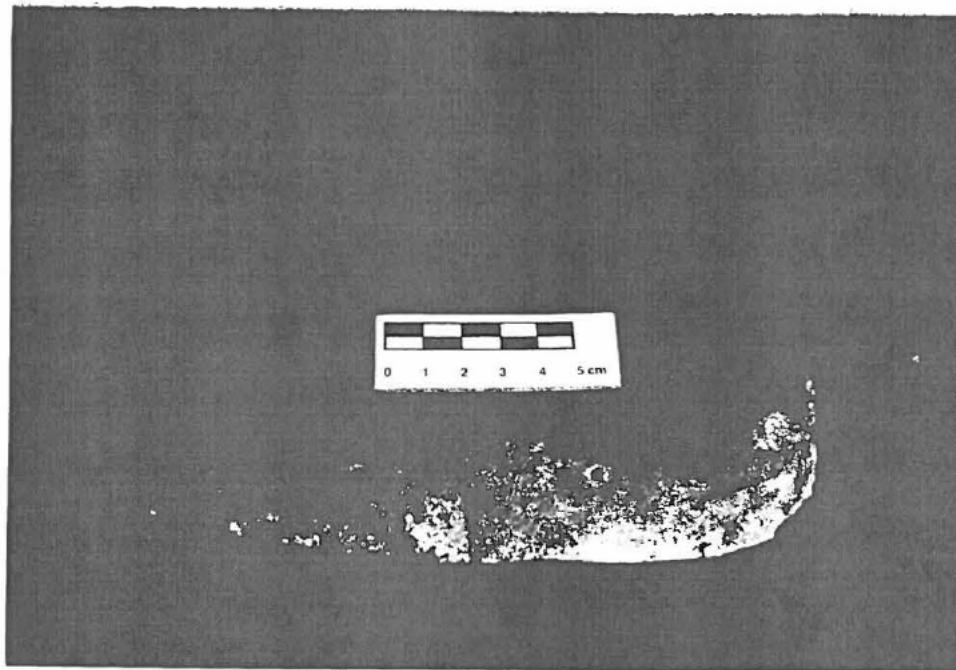
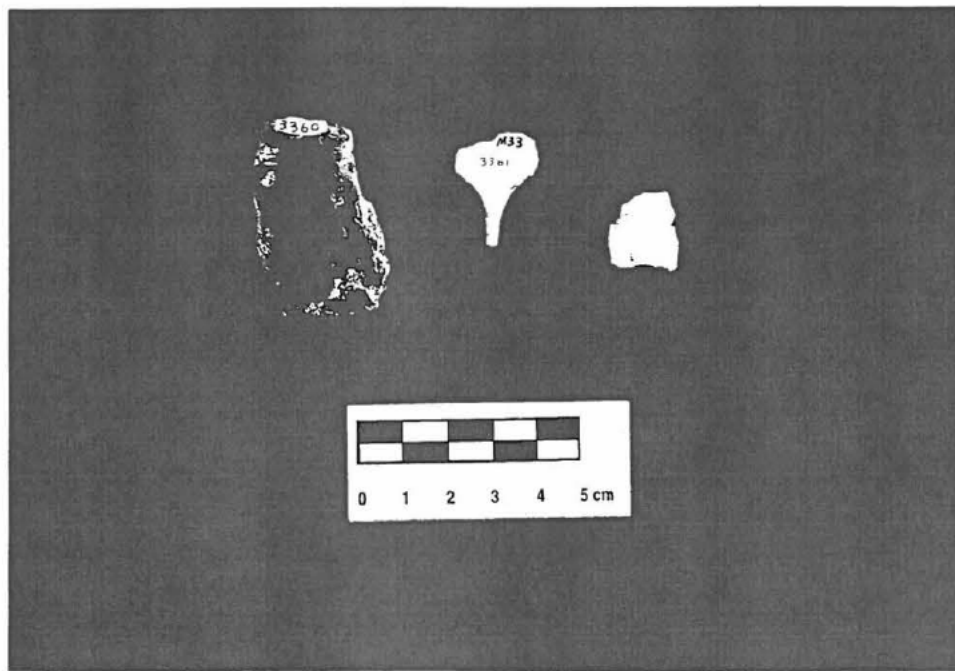


Plate 6. Artifacts from Mound 33, Fire Point (13AM190), EFMO. Upper, left to right: mica sheet fragment (Accession #4, Catalogue #3360), flake drill (Accession #4, Catalogue #3361), chert flake (Accession #4, Catalogue #3362); lower, copper gorget or breastplate (Accession #4, Catalogue #7083).

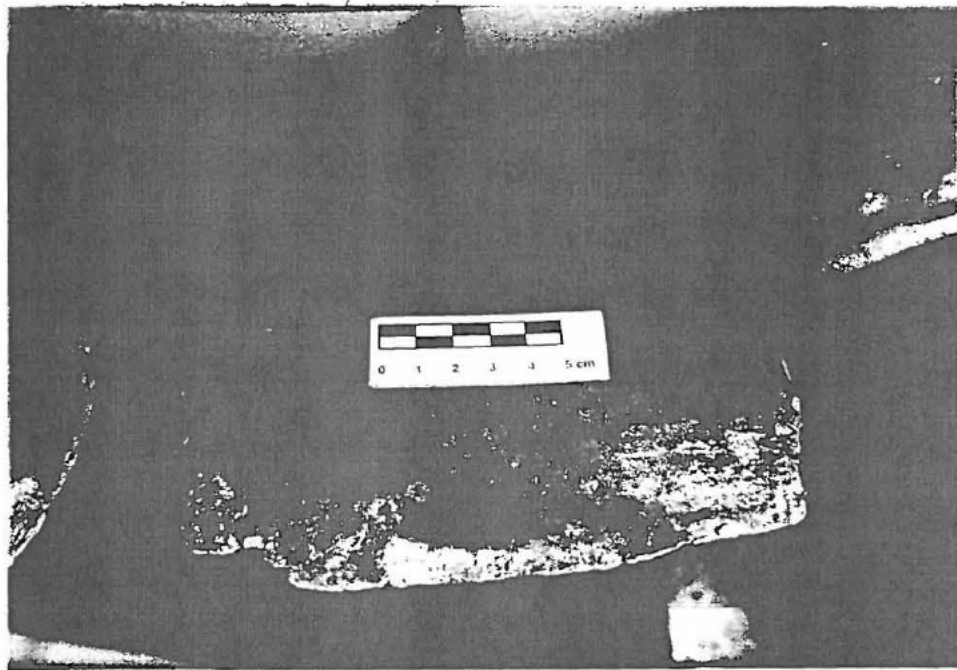
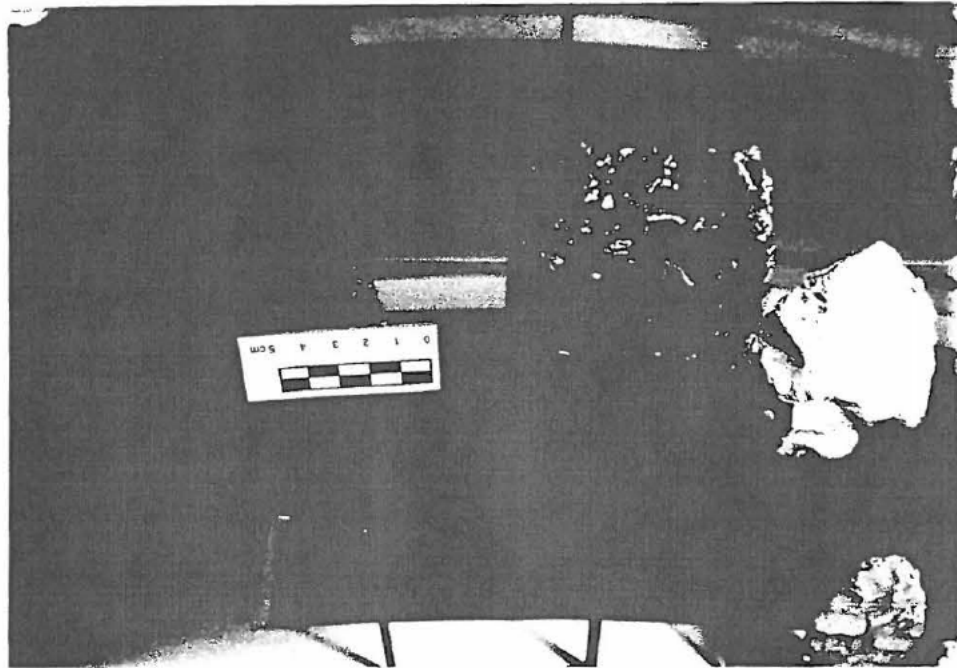


Plate 7. Artifacts from Mounds 55 and 57, Nazekaw Terrace (13AM82), EFMO. Upper, dark chipped stone blades, probably Knife River flint (left is Accession #1, Catalogue #7078, middle is Accession #1, Catalogue #7086), lower, copper breastplate or gorget from Mound 57 (Accession #1, Catalogue #7082).

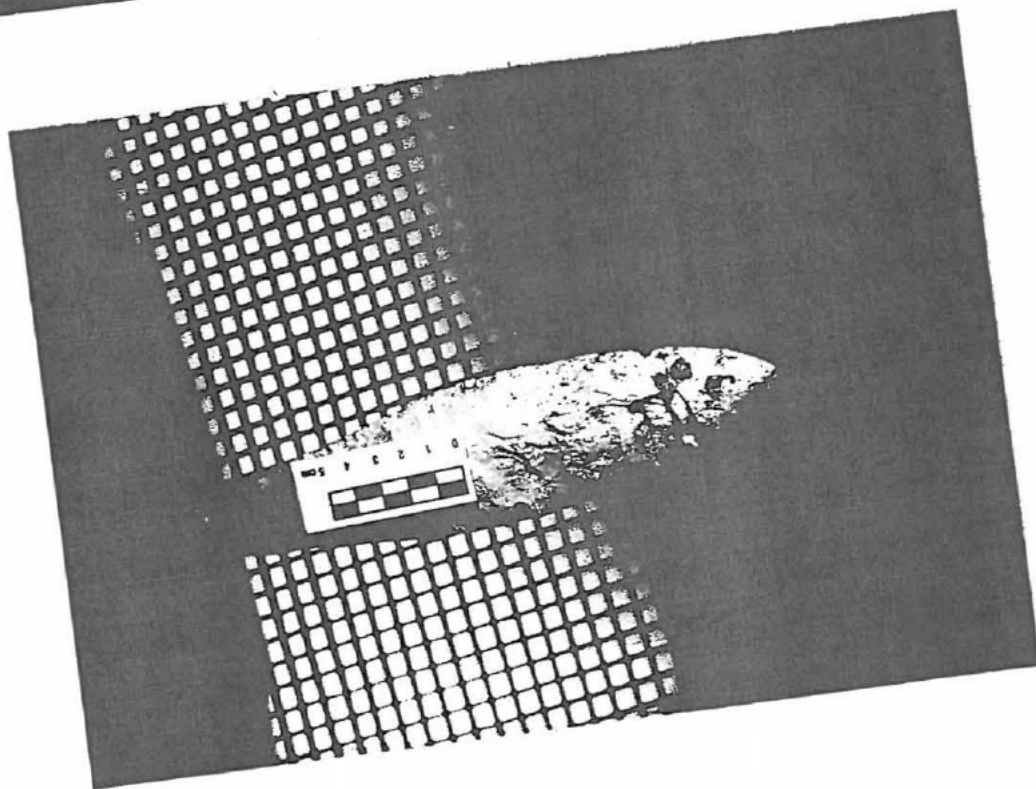
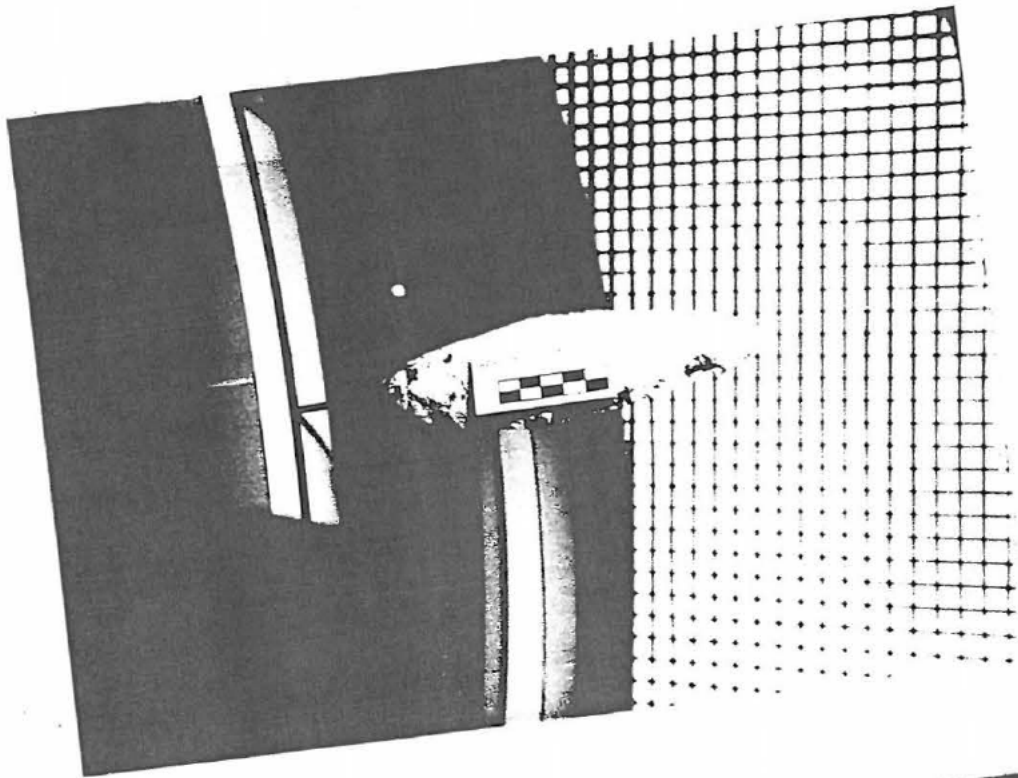


Plate 8. Bifaces (2) from Mound 43, Sny Magill mound group (13CT18) (upper, Accession # 1, Catalogue #7080; lower, Accession #1, Catalogue #7081).

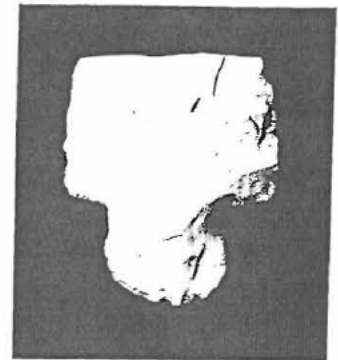
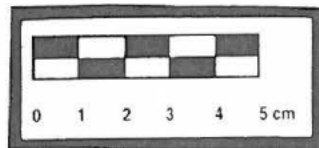
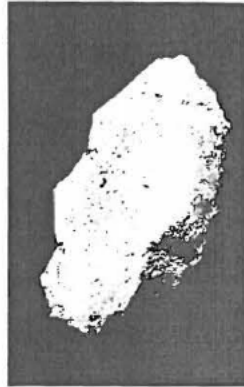
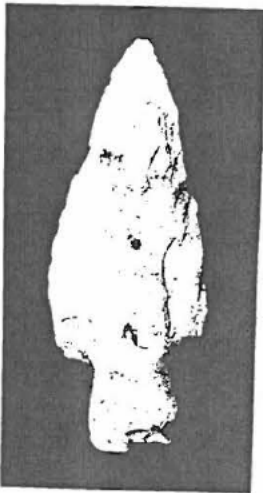
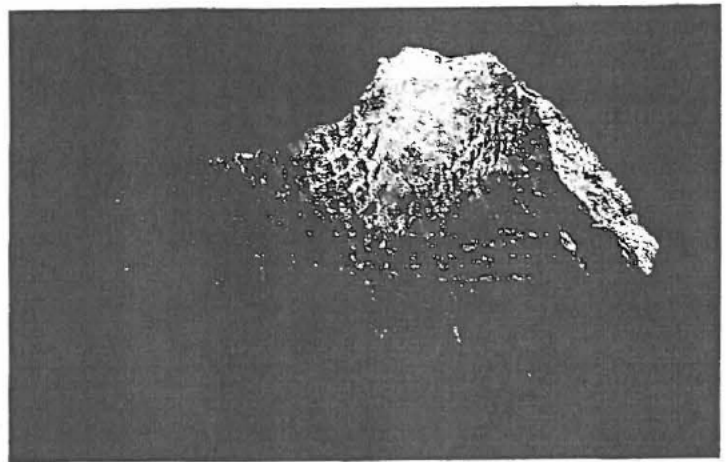
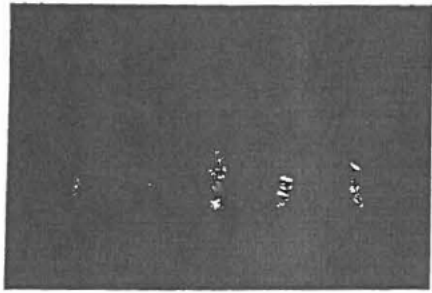


Plate 9. Artifacts from Mound 43, Sny Magill Mound group (13CT18) (all Accession #5), upper left, copper beads (Cat #9435); upper right, pottery bodysherds, 4 joined (Cat #3951); middle left, projectile point (Cat #9895); middle center, flake side scraper (Cat #9894); middle right, projectile point (Cat #3977); lower left, chert hammerstone (Cat #9897); lower right, projectile point (Cat #3958).

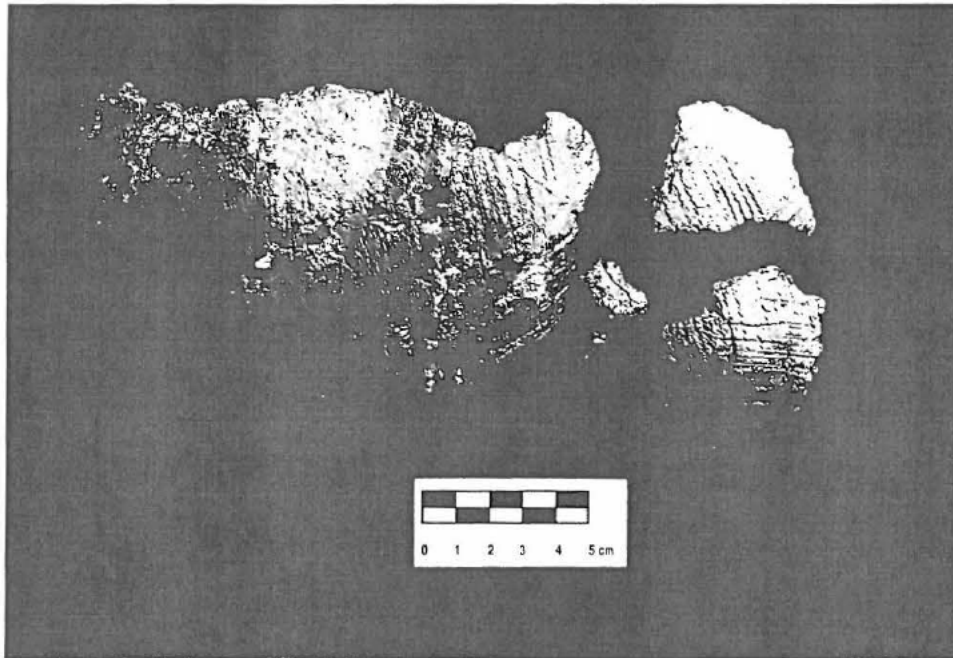
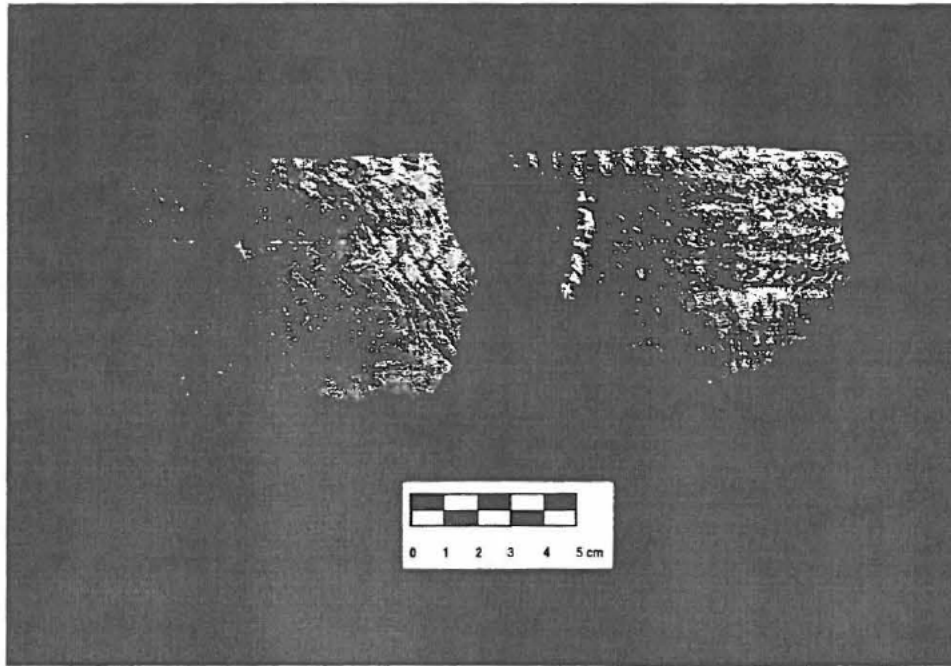


Plate 10. Pottery, Mound 24, Sny Magill Mound group (13CT18) (Accession #5. Upper, rimsherds (left Cat #9893, right Cat #9892); lower, bodysherds (all Cat #9891).



Plate 11. Artifacts from Mound 55, Nazekaw Terrace (13AM82), EFMO (all Accession #1). Upper left, bear canine ornament (Cat #9862); upper center, burned tooth fragments (L-R: Cat #s 3486 and 3487); upper right, sheet copper (Cat #3234); lower left, projectile point/knife fragment (Cat #3480); lower right, antler flaking tool (no Cat #).



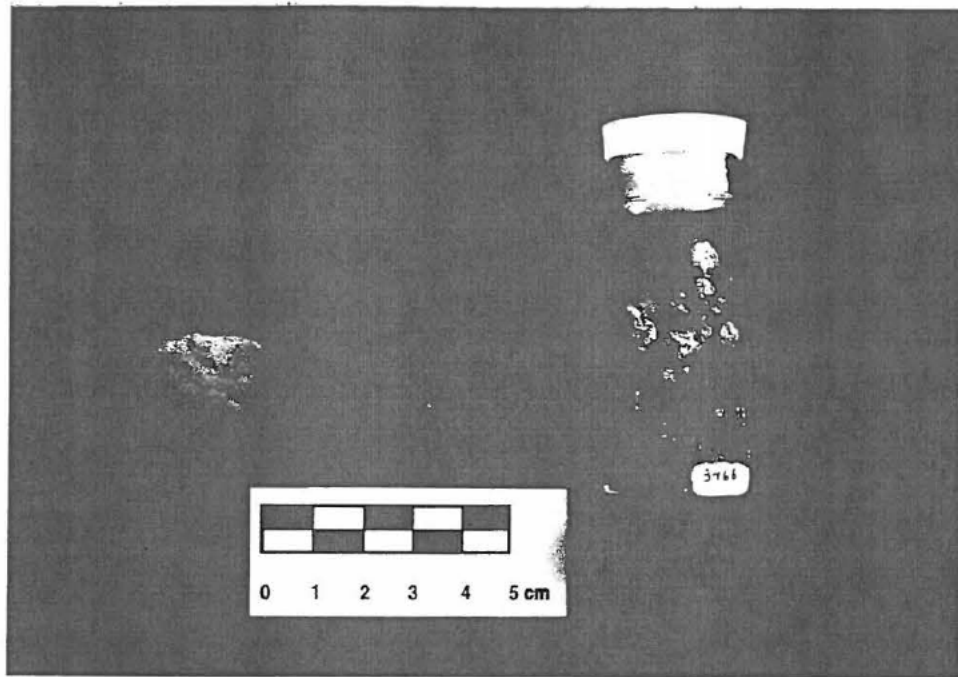
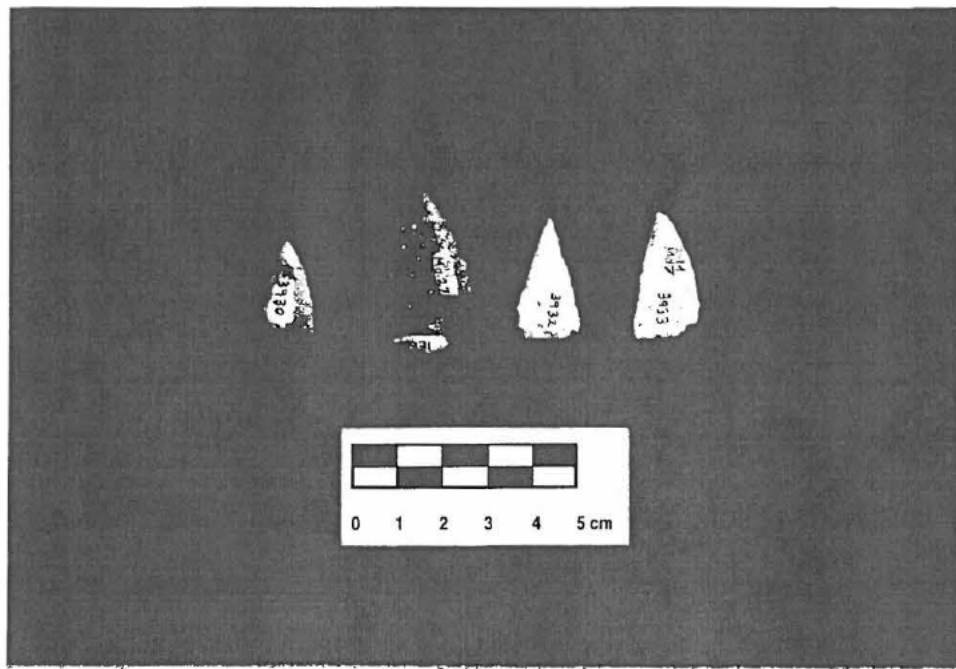


Plate 12. Artifacts from Mounds , EFMO. Upper, Bifaces (projectile points) from Mound 7, Sny Magill group, Accession #5, Catalogue #'s (l-r) 3930-33 (3931 marked Md 27 in error?); lower, two bodysherds and jar of red ochre and soil from Mound 42, Fire Point, Accession #56, Catalogue #'s (l-r) 3464-3466.

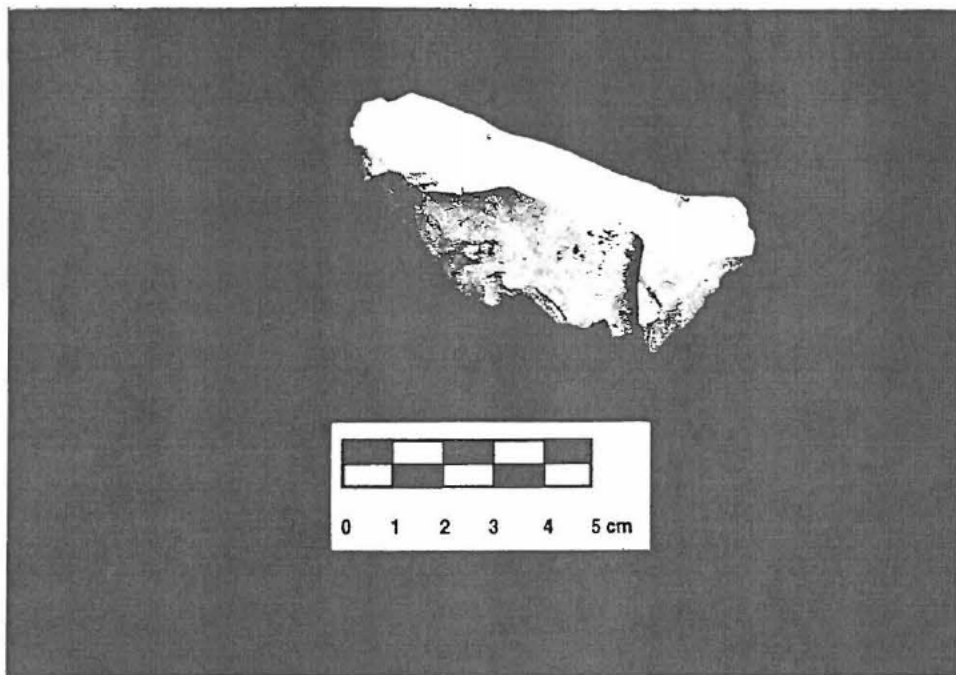
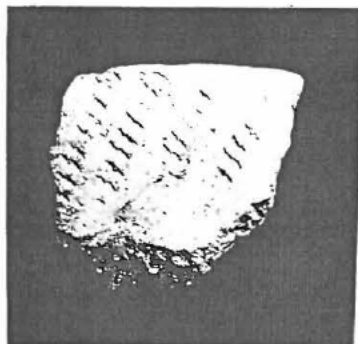
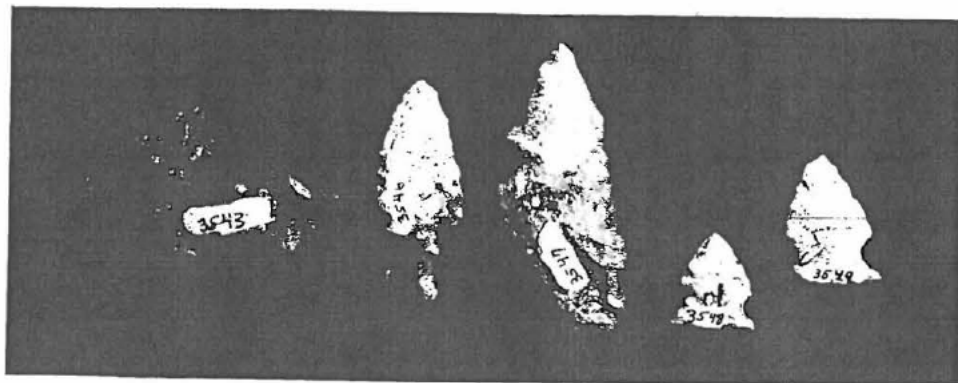


Plate 13. Artifacts, Mounds, EFMO. Upper, chipped stone bifaces (Accession # 58, [l-r] Cat #'s 3543, 3546-9) from Mound 61, Nazekaw Terrace (13AM82); center, rimsherd (Accession #58, Cat #3513); bottom, flake (Accession #111, Cat #3463, Mound 41, Fire Point (13AM190). (all same scale)

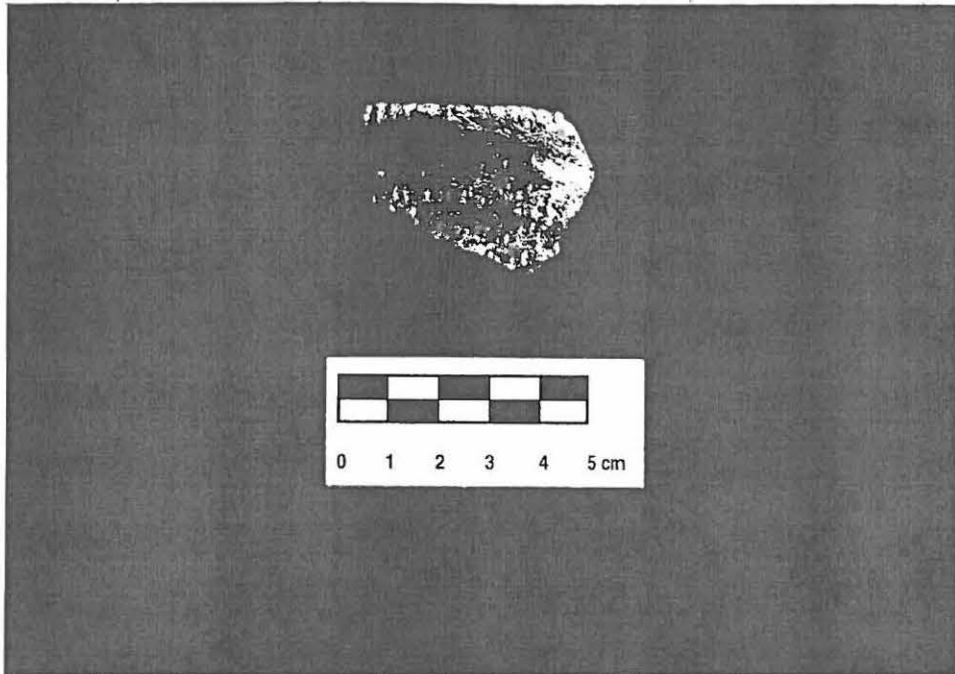
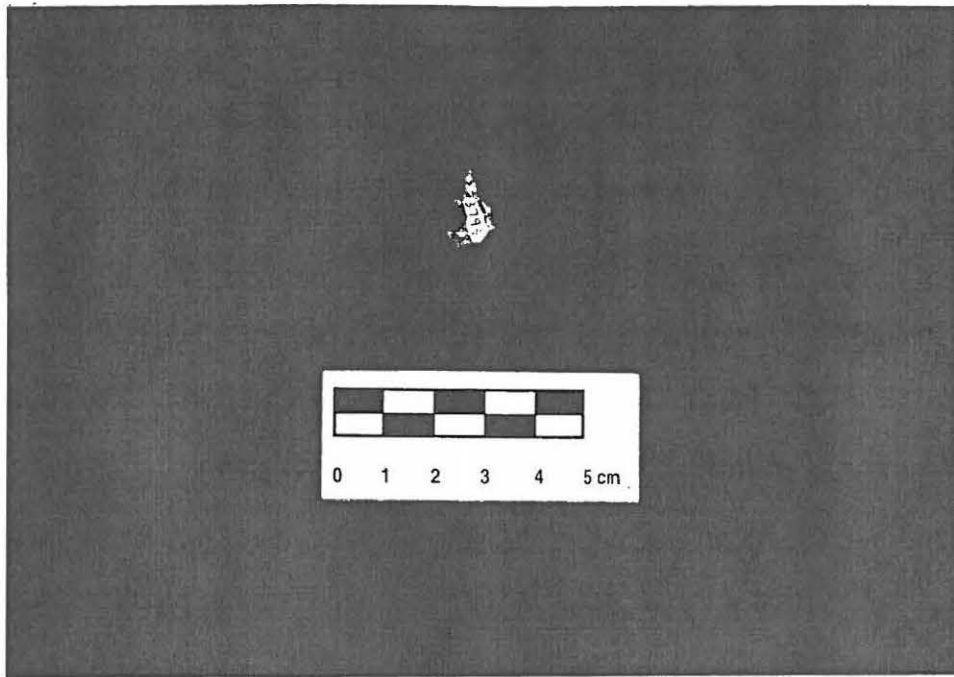


Plate 14. Artifacts from mounds, EFMO. Upper, broken biface (Accession #60, Cat #3799) from Mound 66 (13CT26); lower, rimsherd (Accession #118, Cat #3725) from Mound 62 (13AM113).

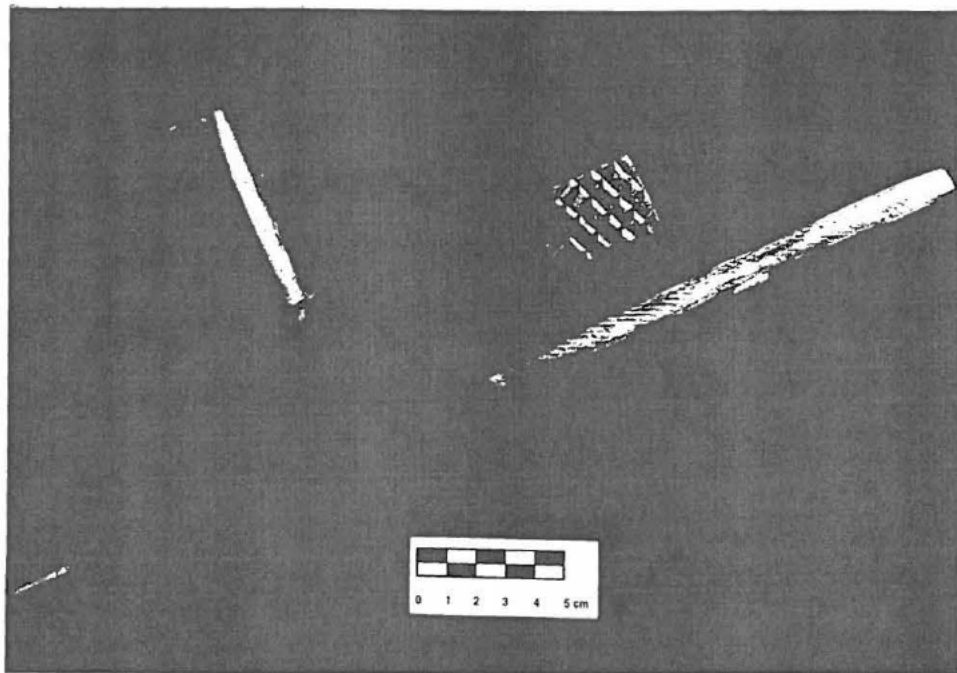
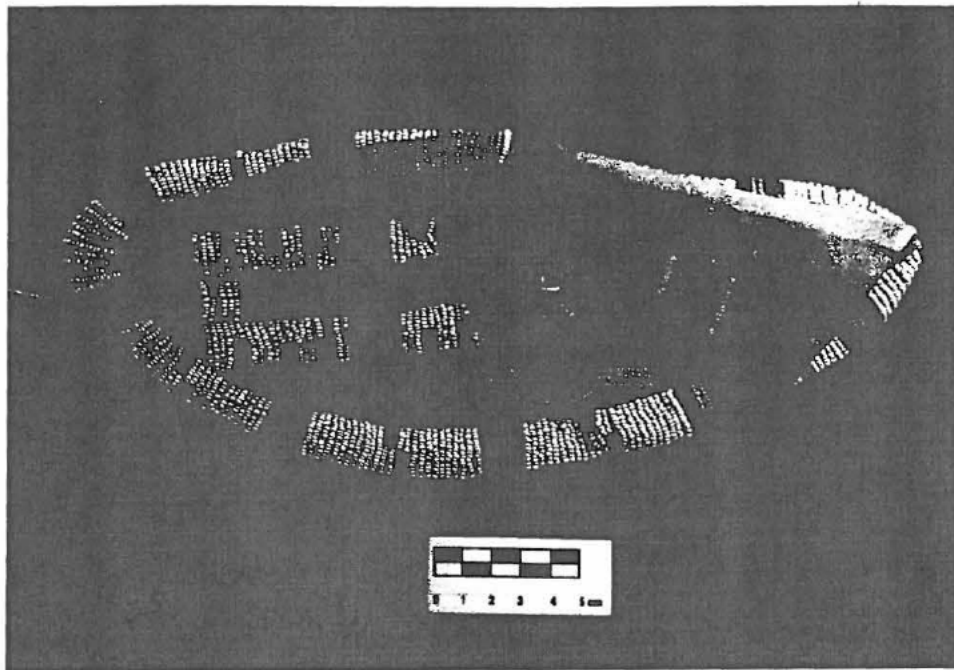


Plate 15. Ethnographic items recommended to NAGPRA. Upper, one of pair of moccasins (Accession #2, Cat #1665); lower, pipe stem (Cat #1662) and bowl (Cat #1663) (Accession #2).

## APPENDICES

**Appendix A**  
**Scope of Work**

The contractor will provide Effigy Mounds National Monument with two reports.

Item 1, Objective 1: The first report will provide recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

Item 2, Objective 2: The second report will summarize the accession history and assess the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

### **Project Specifications**

The work conducted under this contract will be done in direct coordination with the park management of Effigy Mounds National Monument.

The assessments will be based on examination and evaluation of museum collection objects, together with research of appropriate published and unpublished historical, ethnographic, and legal literature and records, and other pertinent sources of information. The findings of this assessment will be documented and supported by appropriate historical and ethnographic evidence, and identified and cited in sufficient detail as to allow the information to be readily located and reviewed. Any sources that are not readily available, such as unpublished material, will be photocopied and included as appendices or attachments to the final study reports.

Any research necessary is to be performed in accordance with this scope-of-work and under the authority and requirements of the National Historic Preservation Act of 1966 as amended (PL 96-515), the Historic Sites Act of 1935 (PL 74-292), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the National Park Service's Cultural Resources Management Guideline (NPS-28; release no. 4, 1994).

### **Project Deliverables and Schedule**

The study will commence no later than November 1, 1997, with final reports being completed on or before February 1, 1998.

Work is to be preceded by a meeting with the Superintendent Kathleen L. Miller, Effigy Mounds National Monument at a mutually agreed date and time. Superintendent Miller will also serve as Contracting Officer's Representative for this procurement. At this meeting, the contractor will seek answers to any questions that he or she has before commencing work.

The contractor will submit a mid-point progress report to Contracting Officer Representative Kathleen L. Miller. This report will summarize the work accomplished during the time reported upon, and any findings and problems encountered. This report detailing progress of the research will be submitted on December 15, 1997.

The products of the study will be two separate written reports. The first written report (Item 1, Objective 1) will recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

The second written report (Item 2, Objective 2) will summarize the accession history and access the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

The reports should contain photocopies of any relevant unpublished materials used in the study assessment, as well as any photographs taken during the course of assessing collection objects. The written reports will be submitted in both draft and final form. Two copies of the unbound draft reports will be submitted on or before January 2, 1998, and will be clearly marked as draft copies. The review draft final reports should be substantially complete. The draft version of the reports will be reviewed by the National Park Service. The National Park Service will furnish the contractor with review comments on the draft reports by January 15, 1998. The contractor will make any requested changes to the reports and submit it in final form by February 1, 1998. The final reports will be submitted in one camera-ready, reproducible (unbound) original, and seven bound paper copies. The final reports will be submitted in electronic form in *Microsoft Word* (Version 6.0) file format. If possible, all appendices and attachments will be submitted in the same file format.

All reports and correspondence will be submitted to Contracting Officer Florencia M. Wiles. Contracting Officer's Representative Kathleen L. Miller, Effigy Mounds National Monument will recommend final acceptance of the project.



## **Principal Investigator**

The Principal Investigator shall be responsible for all aspects of the research and report writing and production. If the reports are written by someone other than the Principal Investigator, the title pages shall bear the inscription "prepared under the supervision of (name), Principal Investigator." The Principal Investigator shall also prepare, as a minimum, a "Foreword" describing the context of the reports, the significance of the work, and any other background circumstances relating to the manner in which the work was undertaken. The individuals responsible for all or part of the reports shall be credited and directly identified where appropriate.

The Principal Investigator shall lead the research team, and the composition of any such team is at the discretion of the Principal Investigator.

**Appendix B**  
**NAGPRA Law and Final Rule**

PUBLIC LAW 101-601—NOV. 16, 1990

NATIVE AMERICAN GRAVES  
PROTECTION AND REPATRIATION  
ACT

Public Law 101-601  
101st Congress

An Act

Nov. 16, 1990  
[H.R. 5237]

To provide for the protection of Native American graves, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Native  
American  
Graves  
Protection  
and  
Repatriation  
Act.

Hawaiian  
Natives.  
Historic  
preservation.  
25 USC 3001  
note.  
25 USC 3001.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Graves Protection and Repatriation Act".

SEC. 2. DEFINITIONS.

For purposes of this Act, the term—

(1) "burial site" means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which as a part of the death rite or ceremony of a culture, individual human remains are deposited.

(2) "cultural affiliation" means that there is a relationship of shared group identity which can be reasonably traced historically or prehistorically between a present day Indian tribe or Native Hawaiian organization and an identifiable earlier group.

(3) "cultural items" means human remains and—

(A) "associated funerary objects" which shall mean objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, and both the human remains and associated funerary objects are presently in the possession or control of a Federal agency or museum, except that other items exclusively made for burial purposes or to contain human remains shall be considered as associated funerary objects.

(B) "unassociated funerary objects" which shall mean objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, where the remains are not in the possession or control of the Federal agency or museum and the objects can be identified by a preponderance of the evidence as related to specific individuals or families or to known human remains or, by a preponderance of the evidence, as having been removed from a specific burial site of an individual culturally affiliated with a particular Indian tribe,

(C) "sacred objects" which shall mean specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present day adherents, and

(D) "cultural patrimony" which shall mean an object having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native

applied in section 7(c), result in a Fifth Amendment taking by the United States as determined by the United States Claims Court pursuant to 28 U.S.C. 1491 in which event the "right of possession" shall be as provided under otherwise applicable property law. The original acquisition of Native American human remains and associated funerary objects which were excavated, exhumed, or otherwise obtained with full knowledge and consent of the next of kin or the official governing body of the appropriate culturally affiliated Indian tribe or Native Hawaiian organization is deemed to give right of possession to those remains.

(14) "Secretary" means the Secretary of the Interior.

(15) "tribal land" means—

(A) all lands within the exterior boundaries of any Indian reservation;

(B) all dependent Indian communities;

(C) any lands administered for the benefit of Native Hawaiians pursuant to the Hawaiian Homes Commission Act, 1920, and section 4 of Public Law 86-3.

25 USC 3002.

### SEC. 3. OWNERSHIP.

(a) **NATIVE AMERICAN HUMAN REMAINS AND OBJECTS.**—The ownership or control of Native American cultural items which are excavated or discovered on Federal or tribal lands after the date of enactment of this Act shall be (with priority given in the order listed)—

(1) in the case of Native American human remains and associated funerary objects, in the lineal descendants of the Native American; or

(2) in any case in which such lineal descendants cannot be ascertained, and in the case of unassociated funerary objects, sacred objects, and objects of cultural patrimony—

(A) in the Indian tribe or Native Hawaiian organization on whose tribal land such objects or remains were discovered;

Claims.

(B) in the Indian tribe or Native Hawaiian organization which has the closest cultural affiliation with such remains or objects and which, upon notice, states a claim for such remains or objects; or

(C) if the cultural affiliation of the objects cannot be reasonably ascertained and if the objects were discovered on Federal land that is recognized by a final judgment of the Indian Claims Commission or the United States Court of Claims as the aboriginal land of some Indian tribe—

(1) in the Indian tribe that is recognized as aboriginally occupying the area in which the objects were discovered, if upon notice, such tribe states a claim for such remains or objects, or

(2) if it can be shown by a preponderance of the evidence that a different tribe has a stronger cultural relationship with the remains or objects than the tribe or organization specified in paragraph (1), in the Indian tribe that has the strongest demonstrated relationship, if upon notice, such tribe states a claim for such remains or objects.

Regulations.

(b) **UNCLAIMED NATIVE AMERICAN HUMAN REMAINS AND OBJECTS.**—Native American cultural items not claimed under subsec-

**SEC. 4. ILLEGAL TRAFFICKING.**

(a) **ILLEGAL TRAFFICKING.**—Chapter 53 of title 18, United States Code, is amended by adding at the end thereof the following new section:

**“§ 1170. Illegal Trafficking in Native American Human Remains and Cultural Items**

“(a) Whoever knowingly sells, purchases, uses for profit, or transports for sale or profit, the human remains of a Native American without the right of possession to those remains as provided in the Native American Graves Protection and Repatriation Act shall be fined in accordance with this title, or imprisoned not more than 12 months, or both, and in the case of a second or subsequent violation, be fined in accordance with this title, or imprisoned not more than 5 years, or both.

“(b) Whoever knowingly sells, purchases, uses for profit, or transports for sale or profit any Native American cultural items obtained in violation of the Native American Grave Protection and Repatriation Act shall be fined in accordance with this title, imprisoned not more than one year, or both, and in the case of a second or subsequent violation, be fined in accordance with this title, imprisoned not more than 5 years, or both.”.

(b) **TABLE OF CONTENTS.**—The table of contents for chapter 53 of title 18, United States Code, is amended by adding at the end thereof the following new item:

“1170. **Illegal Trafficking in Native American Human Remains and Cultural Items.**”.

Museums.  
25 USC 3003.

**SEC. 5. INVENTORY FOR HUMAN REMAINS AND ASSOCIATED FUNERARY OBJECTS.**

(a) **IN GENERAL.**—Each Federal agency and each museum which has possession or control over holdings or collections of Native American human remains and associated funerary objects shall compile an inventory of such items and, to the extent possible based on information possessed by such museum or Federal agency, identify the geographical and cultural affiliation of such item.

(b) **REQUIREMENTS.**—(1) The inventories and identifications required under subsection (a) shall be—

(A) completed in consultation with tribal government and Native Hawaiian organization officials and traditional religious leaders;

(B) completed by not later than the date that is 5 years after the date of enactment of this Act, and

(C) made available both during the time they are being conducted and afterward to a review committee established under section 8.

(2) Upon request by an Indian tribe or Native Hawaiian organization which receives or should have received notice, a museum or Federal agency shall supply additional available documentation to supplement the information required by subsection (a) of this section. The term “documentation” means a summary of existing museum or Federal agency records, including inventories or catalogues, relevant studies, or other pertinent data for the limited purpose of determining the geographical origin, cultural affiliation, and basic facts surrounding acquisition and accession of Native American human remains and associated funerary objects subject to this section. Such term does not mean, and this Act shall not be

(C) completed by not later than the date that is 3 years after the date of enactment of this Act.

(2) Upon request, Indian Tribes and Native Hawaiian organizations shall have access to records, catalogues, relevant studies or other pertinent data for the limited purposes of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of Native American objects subject to this section. Such information shall be provided in a reasonable manner to be agreed upon by all parties.

25 USC 3005.

#### SEC. 7. REPATRIATION.

(a) **REPATRIATION OF NATIVE AMERICAN HUMAN REMAINS AND OBJECTS POSSESSED OR CONTROLLED BY FEDERAL AGENCIES AND MUSEUMS.**—(1) If, pursuant to section 5, the cultural affiliation of Native American human remains and associated funerary objects with a particular Indian tribe or Native Hawaiian organization is established, then the Federal agency or museum, upon the request of a known lineal descendant of the Native American or of the tribe or organization and pursuant to subsections (b) and (e) of this section, shall expeditiously return such remains and associated funerary objects.

(2) If, pursuant to section 6, the cultural affiliation with a particular Indian tribe or Native Hawaiian organization is shown with respect to unassociated funerary objects, sacred objects or objects of cultural patrimony, then the Federal agency or museum, upon the request of the Indian tribe or Native Hawaiian organization and pursuant to subsections (b), (c) and (e) of this section, shall expeditiously return such objects.

(3) The return of cultural items covered by this Act shall be in consultation with the requesting lineal descendant or tribe or organization to determine the place and manner of delivery of such items.

(4) Where cultural affiliation of Native American human remains and funerary objects has not been established in an inventory prepared pursuant to section 5, or the summary pursuant to section 6, or where Native American human remains and funerary objects are not included upon any such inventory, then, upon request and pursuant to subsections (b) and (e) and, in the case of unassociated funerary objects, subsection (c), such Native American human remains and funerary objects shall be expeditiously returned where the requesting Indian tribe or Native Hawaiian organization can show cultural affiliation by a preponderance of the evidence based upon geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion.

(5) Upon request and pursuant to subsections (b), (c) and (e), sacred objects and objects of cultural patrimony shall be expeditiously returned where—

(A) the requesting party is the direct lineal descendant of an individual who owned the sacred object;

(B) the requesting Indian tribe or Native Hawaiian organization can show that the object was owned or controlled by the tribe or organization; or

(C) the requesting Indian tribe or Native Hawaiian organization can show that the sacred object was owned or controlled by a member thereof, provided that in the case where a sacred object was owned by a member thereof, there are no identifiable

(2) The Secretary may not appoint Federal officers or employees to the committee.

(3) In the event vacancies shall occur, such vacancies shall be filled by the Secretary in the same manner as the original appointment within 90 days of the occurrence of such vacancy.

(4) Members of the committee established under subsection (a) shall serve without pay, but shall be reimbursed at a rate equal to the daily rate for GS-18 of the General Schedule for each day (including travel time) for which the member is actually engaged in committee business. Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(c) RESPONSIBILITIES.—The committee established under subsection (a) shall be responsible for—

(1) designating one of the members of the committee as chairman;

(2) monitoring the inventory and identification process conducted under sections 5 and 6 to ensure a fair, objective consideration and assessment of all available relevant information and evidence;

(3) upon the request of any affected party, reviewing and making findings related to—

(A) the identity or cultural affiliation of cultural items, or

(B) the return of such items;

(4) facilitating the resolution of any disputes among Indian tribes, Native Hawaiian organizations, or lineal descendants and Federal agencies or museums relating to the return of such items including convening the parties to the dispute if deemed desirable;

(5) compiling an inventory of culturally unidentifiable human remains that are in the possession or control of each Federal agency and museum and recommending specific actions for developing a process for disposition of such remains;

(6) consulting with Indian tribes and Native Hawaiian organizations and museums on matters within the scope of the work of the committee affecting such tribes or organizations;

(7) consulting with the Secretary in the development of regulations to carry out this Act;

(8) performing such other related functions as the Secretary may assign to the committee; and

(9) making recommendations, if appropriate, regarding future care of cultural items which are to be repatriated.

(d) Any records and findings made by the review committee pursuant to this Act relating to the identity or cultural affiliation of any cultural items and the return of such items may be admissible in any action brought under section 15 of this Act.

(e) RECOMMENDATIONS AND REPORT.—The committee shall make the recommendations under paragraph (c)(5) in consultation with Indian tribes and Native Hawaiian organizations and appropriate scientific and museum groups.

(f) ACCESS.—The Secretary shall ensure that the committee established under subsection (a) and the members of the committee have reasonable access to Native American cultural items under review and to associated scientific and historical documents.

(g) DUTIES OF SECRETARY.—The Secretary shall—

(1) establish such rules and regulations for the committee as may be necessary, and



(B) enter into any other agreement with the consent of the culturally affiliated tribe or organization as to the disposition of, or control over, items covered by this Act;

(2) delay actions on repatriation requests that are pending on the date of enactment of this Act;

(3) deny or otherwise affect access to any court;

(4) limit any procedural or substantive right which may otherwise be secured to individuals or Indian tribes or Native Hawaiian organizations; or

(5) limit the application of any State or Federal law pertaining to theft or stolen property.

25 USC 3010. SEC. 12. SPECIAL RELATIONSHIP BETWEEN FEDERAL GOVERNMENT AND INDIAN TRIBES.

This Act reflects the unique relationship between the Federal Government and Indian tribes and Native Hawaiian organizations and should not be construed to establish a precedent with respect to any other individual, organization or foreign government.

25 USC 3011. SEC. 13. REGULATIONS.

The Secretary shall promulgate regulations to carry out this Act within 12 months of enactment.

25 USC 3012. SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

25 USC 3013. SEC. 15. ENFORCEMENT.

Courts.

The United States district courts shall have jurisdiction over any action brought by any person alleging a violation of this Act and shall have the authority to issue such orders as may be necessary to enforce the provisions of this Act.

Approved November 16, 1990.

LEGISLATIVE HISTORY—H.R. 5237:

HOUSE REPORTS: No. 101-877 (Comm. on Interior and Insular Affairs).  
CONGRESSIONAL RECORD, Vol. 136 (1990):

Oct. 22, considered and passed House.

Oct. 25, considered and passed Senate; passage vitiated.

Oct. 26, reconsidered and passed Senate, amended.

Oct. 27, House concurred in Senate amendments.

# Federal Register

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Friday  
May 28, 1993

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Part VIII

Department of the  
Interior

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Office of the Secretary

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43 CFR Part 10

Native American Graves Protection and  
Repatriation Act Regulations; Proposed  
Rule

## DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 10

RIN 1024-AC07

## Native American Graves Protection and Repatriation Act Regulations

AGENCY: Department of the Interior.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** By this action we are publishing proposed regulations for implementing the Native American Graves Protection and Repatriation Act of 1990. These regulations are mandated by Native American Graves Protection and Repatriation Act of 1990 and their publication is intended to solicit comments from Indian tribes, Federal agencies, museums and members of the public prior to publishing the regulations in final form. These regulations develop a systematic process for determining the rights of lineal descendants and members of Indian Tribes and Native Hawaiian organizations to certain Native American human remains and cultural items with which they are affiliated.

**DATES:** Written comments will be accepted until July 27, 1993.

**ADDRESSES:** Comments on the proposal are to be marked "Docket No. 1024-AC07" and mailed in duplicate to Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service, Box 37127, Washington DC 20013-7127; or delivered in duplicate to room 210, 800 North Capital Street, Washington DC. Comments may be inspected at room 210 on weekdays, except Federal holidays, between 8:30 a.m. and 5 p.m. **FOR FURTHER INFORMATION CONTACT:** Dr. Francis P. McManamon, Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service, Box 37127, Washington DC 20013. Telephone: (202) 343-4101. Fax: (202) 523-1547.

## SUPPLEMENTARY INFORMATION:

## Background

On November 16, 1990, President George Bush signed into law the Native American Graves Protection and Repatriation Act, hereafter referred to as the Act. The Act addresses the rights of lineal descendants and members of Indian Tribes and Native Hawaiian organizations to certain Native American human remains and cultural

items with which they are affiliated. Section 13 of the Act requires the Secretary of the Interior to promulgate regulations to carry out provisions of the Act. Readers are reminded that the requirements of the Act, including all deadlines, apply regardless of the effective date of these regulations.

These regulations consist of 17 sections divided into four subparts and five appendices. Subpart A includes introductory sections outlining the purpose and applicability of these regulations and presenting definition of 31 key terms. Subpart B includes procedures implementing section 3 of the Act related to the intentional excavation and inadvertent discovery of human remains or cultural items from Federal or Tribal lands. Subpart C includes procedures implementing sections 5, 6, and 7 of the Act for conducting summaries and inventories and repatriating human remains or cultural items in museums or Federal collections. Subpart D includes general procedures for determining lineal descent and cultural affiliation, operation of the Review Committee, and resolving disputes. Appendices A through E include documents to clarify the procedures outlined in earlier subparts. Section 4 of the Act, which deals with illegal trafficking and is incorporated directly into chapter 53 of title 18, United States Code, does not require implementing regulations.

## Section by Section Analysis

## Section 10.1

This section outlines the purpose and applicability of the regulations.

## Section 10.2

This section defines terms used throughout the regulations. The 31 definitions are grouped into five categories concerning: (a) Participants, (b) human remains and cultural items, (c) cultural affiliation, (d) location, and (e) procedures.

Subsection (a) defined fifteen principal organizations and individuals who implement or are referenced in these regulations. Definitions of "museum" and "Indian Tribe" have been expanded to clarify the statutory language. For "museum," additional clarification and an example are included to elaborate the meaning of "receives Federal funds."

The definition of Indian Tribe has been clarified to refer to those Indian Tribes and Native Alaskan entities on the current list of recognized Indian tribes as published by the Bureau of Indian Affairs. The definition of Indian Tribe used in the Act was explicitly

drawn from the American Indian Self Determination and Education Assistance Act (25 U.S.C. 450b) which is interpreted to refer to only those Indian Tribes and Native Alaskan entities recognized by the Bureau of Indian Affairs. This definition is also consistent with the regulatory definition of the term "Indian Tribe" (43 CFR 7.3(f)) as developed in connection with the Archeological Resources Protection Act ("ARPA"), 16 U.S.C. 470aa et seq. For use in these regulations, the term "Indian Tribe" includes Native Hawaiian organizations. Comment is particularly invited as to the proposed definition of the term "Indian Tribe."

Subsection (b) defines the types of human remains and objects covered by the regulations. "Human remains," which were not defined by the Act, are defined broadly to include all Native American human remains with exceptions for remains or portions of remains freely given by the individual from whom they were obtained and for remains incorporated into cultural items. Comment is requested particularly on the sentence in the definition which defines human remains that have been incorporated into a cultural item as part of that cultural item, rather than as human remains.

"Cultural item" is used in a slightly different way than in the Act, referring here only to funerary objects, sacred objects, and objects of cultural patrimony, and not to human remains. This different usage, however, is only editorial and does not alter the requirements of the Act with respect to treatment of human remains and other cultural items. This modified usage is intended to address the offense some individuals have expressed over referring to human remains as "items." The definitions of "sacred objects" and "objects of cultural patrimony" have been elaborated to incorporate language from the House and Senate Committee reports relating to the Act.

Subsection (c) reiterates the statutory definition of "cultural affiliation."

Subsection (d) defines three types of property on which human remains or cultural items are discovered or excavated. The statutory definition of "Federal lands" has been elaborated to clarify that "control" refers to "those lands in which the United States has a legal interest sufficient to permit it to apply these regulations without abrogating the otherwise existing legal rights of a person." The statutory definition of "Tribal lands" has been elaborated to clarify that the regulations do not apply to strictly private land located within the boundaries of an

Indian reservation but do apply to allotments held in trust or subject to a restriction on alienation by the United States." The Act's legislative history supports the interpretation that the Congress did not intend the Act to apply to private lands within the boundaries of an Indian reservation. The definition of "aboriginal lands" is derived from statutory language.

Subsection (e) defines six processes that are required to implement these regulations.

#### Section 10.3

This section presents requirements and procedures for implementing section 3 (c) of the Act related to treatment and determining ownership and control of human remains and cultural items that are intentionally excavated from Federal or Tribal lands after November 16, 1990. The section describes the actions that Federal agency officials must take to consult with Indian Tribes and to ensure proper treatment of human remains and cultural items prior to turning them over to appropriate lineal descendant or Indian Tribe. Section 10.3 (c)(3) urges Federal agency officials to coordinate consultation requirements and any subsequent agreement for compliance under Section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq.) with these regulations. Section 10.3 (c)(4) urges Indian Tribes to follow these regulations regarding treatment and disposition of human remains or cultural items excavated on Tribal lands.

#### Section 10.4

This section presents procedures for implementing section 3 (d) of the Act related to determining ownership and control of human remains and cultural items that are discovered inadvertently on Federal or Tribal lands after November 16, 1990. Section 10.4 (e) outlines procedures for avoiding or shortening the required cessation of activity through execution of a written, binding agreement between the necessary parties. Section 10.4 (f) urges Indian Tribes to follow these regulations regarding disposition of human remains or cultural items discovered on Tribal lands. Section 10.4 (f) urges Federal agency officials to coordinate their responsibilities under this section with their emergency discovery responsibilities under section 106 of the National Historic Preservation Act (16 U.S.C. 470f, 36 CFR 800.11) or the Archeological and Historic Preservation Act (16 U.S.C. 469 (a-c)).

#### Section 10.5

This section presents consultation requirements applicable to both intentional excavations and inadvertent discovery of human remains or cultural items on Federal lands or Tribal lands after November 16, 1990.

#### Section 10.6

This section presents the priority of ownership of human remains or cultural items excavated or discovered on Federal lands or Tribal lands after November 16, 1990. The drafters point out that § 10.6 (a) explicitly recognizes Indian Tribes' sovereignty over human remains or cultural items excavated or discovered on Tribal land. Section 10.6(c) includes public notice requirements prior to the repatriation of human remains and cultural items discovered on Federal lands. This is considered to be required as a matter of due process of law although not specifically required by the Act.

#### Section 10.7

This section has been reserved for procedures for the disposition of unclaimed human remains and cultural items excavated or discovered on Federal lands or Tribal lands after November 16, 1990.

#### Section 10.8

This section presents procedures for implementing section 7 of the Act related to conducting summaries of collections which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony in the collections of Federal agencies or museums receiving Federal funds. The drafters point out that an ambiguity in the statutory language left it unclear whether summaries should include only those unassociated funerary objects, sacred objects, or objects of cultural patrimony which are culturally affiliated with a particular Indian Tribe or to the entire collection which may include such items. As the statute only requires consultation after completion of the summary, the latter interpretation has been chosen. Section 10.8(c) requires that summaries be completed no later than November 16, 1993. This deadline is statutorily established and applies regardless of the effective date of these regulations. The statutory language does not provide for extensions of this deadline. Section 10.8(e) requires the documentation of individual items and the determination of their cultural affiliation followed by public notification prior to repatriation of any individual items included within a summary. The drafters consider that public notice is required as a matter of

due process of law although the Act does not specifically so require.

#### Section 10.9

This section presents procedures for implementing section 5 of the Act related to conducting inventories of human remains and associated funerary objects in the collections of Federal agencies or museums receiving Federal funds.

#### Section 10.10

This section presents criteria for repatriating human remains and cultural items in the collections of Federal agencies or museums receiving Federal funds. Comment particularly is sought on § 10.10 (c)(3) which incorporates the drafters' understanding of the relationship between the Fifth Amendment of the United States Constitution and the Act's repatriation requirements. It is our interpretation that the Congress did not intend to have the Act result in the taking of private property within the meaning of the Fifth Amendment. This interpretation follows the usual rule of statutory construction to the effect that an Act of Congress is not to be construed as resulting in the taking of private property unless the Act clearly so indicates. The Act does not expressly state that a taking of property is intended, but, to the contrary, references the application of the Fifth Amendment at least in certain respects. The drafters, however, do not intend to suggest that there are many circumstances where a museum would be legally entitled to assert the Fifth Amendment as grounds to decline to repatriate human remains and cultural items as otherwise required by the Act.

#### Section 10.11

This section has been reserved for procedures for the disposition of culturally unidentifiable human remain in the collections of Federal agencies or museums receiving Federal funds.

#### Section 10.12

This section has been reserved for procedures for assessing civil penalties upon museums receiving Federal funds that fail to comply with provisions of these regulations.

#### Section 10.13

This section has been reserved for procedures for implementing provisions of these regulations after the November 16, 1995 deadline for inventory completion.

#### Section 10.14

This section presents general procedures for determining lineal

descent and cultural affiliation for human remains or cultural items either in the collections of Federal agencies or museums receiving Federal funds or excavated or discovered on Federal or Tribal lands. Section 10.14 (b) requires that a lineal descendant be able to trace his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian Tribe to a known (named) individual whose remains, funerary objects, or sacred objects are being requested. Section 10.14 (c) requires that determination of cultural affiliation includes existence of an identifiable present-day Indian Tribe, evidence of the existence of and identifiable earlier group, and evidence of the existence of a shared group identity that can be reasonably traced between the present-day Indian tribe and the earlier group.

#### Section 10.15

This section presents general limitations and remedies for repatriation of human remains or cultural items either in the collections of Federal agencies or museums receiving Federal funds or excavated or discovered on Federal or Tribal lands. Section 10.15 (b) has been reserved for procedures for dealing with human remains or cultural items that remain unclaimed after passage of the statutory deadlines.

#### Section 10.16

This section presents general provisions for the conduct of the seven member Review Committee appointed by the Secretary of the Interior from nominations submitted by Indian Tribes and Native Hawaiian organizations and national museum organizations and scientific organizations pursuant to section 8 of the Act.

#### Section 10.17

This section presents general provisions for the resolution of disputes including provisions for the involvement of the Review Committee.

#### Appendix A

This section contains a sample summary of collections containing unassociated funerary objects, sacred objects, or objects of cultural patrimony.

#### Appendix B

This section has been reserved for a sample inventory of human remains and associated funerary objects.

#### Appendix C

This section contains a sample notice of inventory completion.

#### Appendix D

This section has been reserved for a sample memorandum of understanding dealing with repatriation of human remains or cultural items in Federal collections.

#### Appendix E

This section has been reserved for a sample memorandum of understanding dealing with intentional excavations on Federal or Tribal lands.

#### Public Participation

Any person may obtain a copy of this NPRM by submitting a request to the Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service, Box 37127, Washington DC 20013-7127, by calling (202) 343-4101, or by faxing a request to (202) 523-1547. Requests must identify the notice number of this NPRM.

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments relating to the effects that might result from adoption of the proposals contained in this notice are invited. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address listed above. Commentors wishing the National Park Service to acknowledge receipt of their comments must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No 1024-AC07." The postcard will be date stamped and returned to the commentor. All communications received on or before the closing date for comments will be considered by the Departmental Consulting Archeologist before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the rule Docket both before and after the closing date for comments.

#### Drafting Information

These proposed regulations were prepared by Dr. Francis P. McManamon (Departmental Consulting Archeologist, National Park Service), Dr. C. Timothy McKeown (NAGPRA Program Leader, National Park Service), and Mr. Lars Hanslin (Senior Attorney, Office of the Solicitor), in consultation with the Native American Graves Protection and Repatriation Review Committee as directed by section 8 (c)(7) of the Act.

#### Compliance with the Paperwork Reduction Act

The collections of information contained in this rule have been submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 *et seq.* The collection of this information will not be required until it has been approved by the Office of Management and Budget. Public reporting burden for this collection of information is expected to average 100 hours for the exchange of summary/inventory information between a museum and an Indian Tribe and six hours per response for the notification to the Secretary of the Interior, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collected information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to Information Collection Officer, National Park Service, Box 37127, Washington D.C. 20013 and to the Office of Management and Budget, Paperwork Reduction Project, Washington DC 20503.

#### Compliance with Other Laws

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291.

The Department of the Interior certifies that this document does not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

The Department of the Interior has determined that these proposed regulations meet the applicable standards provided in sections 2(a) and 2(b) of Executive Order No. 12278.

The Department of the Interior has determined that these proposed regulations will not have a significant effect on the quality of the human environment under the National Environmental Policy Act (42 U.S.C. 4321-4347). In addition, the Department of the Interior has determined that these proposed regulations are categorically excluded from the procedural requirements of the National Environmental Policy Act by Departmental regulations in 516 DM 2. As such, neither an Environmental Assessment nor an Environmental Impact statement has been prepared.

#### List of Subjects in 43 CFR Part 10

Administrative practice and procedure, Graves, Hawaiian Natives,

Historic preservation, Indians—claims, Indians—lands, Museums, Public lands, Reporting and record keeping requirements.

For the reasons set out in the preamble, 43 CFR Subtitle A is proposed to be amended as follows.

Part 10 is added to read as follows:

## PART 10—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION REGULATIONS

### Subpart A—Introduction

Sec.

10.1 Purpose and applicability.

10.2 Definitions.

### Subpart B—Human Remains or Cultural Items from Federal or Tribal Lands

10.3 Intentional excavations.

10.4 Inadvertent discoveries.

10.5 Consultation.

10.6 Ownership.

10.7 Disposition of unclaimed human remains and cultural items. [Reserved]

### Subpart C—Human Remains or Cultural Items in Museums and Federal Collections

10.8 Summaries.

10.9 Inventories.

10.10 Repatriation.

10.11 Disposition of culturally unidentifiable human remains. [Reserved]

10.12 Civil penalties. [Reserved]

10.13 Future applicability. [Reserved]

### Subpart D—General

10.14 Lineal descent and cultural affiliation.

10.15 Repatriation limitations and remedies.

10.16 Review committee.

10.17 Dispute resolution.

Appendix A to Part 10—Sample summary.

Appendix B to Part 10—Sample inventory. [Reserved]

Appendix C to Part 10—Sample notice of inventory completion.

Appendix D to Part 10—Sample memorandum of understanding repatriation. [Reserved]

Appendix E to Part 10—Sample memorandum of understanding intentional excavation. [Reserved]

Authority: 25 U.S.C. 3001 *et seq.*

### Subpart A—Introduction

#### § 10.1 Purpose and applicability.

(a) *Purpose.* These regulations implement provisions of the Native American Graves Protection and Repatriation Act of 1990 (Pub.L. 101-601; 25 U.S.C. 3001-3013; 104 Stat. 3048-3058). These regulations develop a systematic process for determining the rights of lineal descendants and members of Indian Tribes and Native Hawaiian organizations to certain Native American human remains and

cultural items with which they are affiliated.

(b) *Applicability.* (1) These regulations pertain to the identification and appropriate disposition of human remains and cultural items that are:

(i) In Federal possession or control; or

(ii) In the possession or control of an institution or State or local government receiving Federal funds; or

(iii) Excavated or discovered on Federal or Tribal lands.

(2) These regulations apply to human remains and cultural items which are indigenous to Alaska, Hawaii, and the continental United States but not to territories of the United States.

#### § 10.2 Definitions.

In addition to the term *Act*, which shall mean the Native American Graves Protection and Repatriation Act as described above, definitions used in these regulations are grouped in five classes: Participants; human remains and cultural items; cultural affiliation; location; and procedures.

(a) *Participants* are persons who implement or are referenced in these regulations. As used in these regulations, the term:

(1) *Secretary* means the Secretary of the Interior.

(2) *Review Committee* means the advisory committee established pursuant to section 8 of the Act.

(3) *Departmental Consulting Archeologist* means the official of the Department of the Interior designated by the Secretary as responsible for the administration of matters relating to these regulations. Communications to the Departmental Consulting Archeologist should be addressed to:

Departmental Consulting Archeologist,  
Archeological Assistance Division,  
National Park Service,  
P.O. Box 37127,  
Washington, DC 20013-7127.

(4) *Federal agency* means any department, agency, or instrumentality of the United States. Such term does not include the Smithsonian Institution as stipulated in section 2 (a)(4) of the Act.

(5) *Federal agency official* means the individual within a Federal agency designated as being responsible for matters relating to these regulations.

(6) *Museum* means any institution or State or local government agency (including any institution of higher learning) that has possession of, or control over, human remains or cultural items and receives Federal funds. The phrase "receives Federal funds" means the receipt of funds by a museum after November 16, 1990, from a Federal agency through any grant, loan, contract

(other than a procurement contract), or other arrangement by which a Federal agency makes or made available to a museum assistance in the form of funds. Federal funds provided for any purpose that are received by a larger entity of which the museum is a part are considered Federal funds for the purposes of these regulations. For example, if a museum is a part of a State or local government or a private university and the State or local government or private university receives Federal funds for any purpose, the museum is considered to receive Federal funds.

(7) *Museum official* means the individual within a museum designated as being responsible for matters relating to these regulations.

(8) *Native American* means of, or relating to, a Tribe, people, or culture indigenous to the United States.

(9) *Indian Tribe* means any Tribe, band, nation, or other organized Indian group or community of Indians, including any Alaska Native village or corporation as defined in or established by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Groups that wish to determine if they qualify as an Indian Tribe under this definition should consult the Federal Register for the current list of recognized Indian Tribes as published by the Bureau of Indian Affairs, U.S. Department of the Interior. Groups which are not included in this list but wish to be considered as an Indian Tribe for the purposes of these regulations should contact the Bureau of Indian Affairs to ascertain whether they are qualified. Generally, in order to be acknowledged as an Indian Tribe under these regulations, an Indian entity must be ethnically and culturally identifiable and have had a substantially autonomous and continuous tribal existence throughout history until the present. Groups, associations, organizations, or corporations of any character formed in recent times generally do not qualify, nor do splinter groups, political factions, communities, or entities of any character which separate from the main body of an Indian Tribe unless it can clearly identify that the group has functioned throughout history as an autonomous entity. Except as otherwise indicated, the term Indian Tribe when used in these regulations shall also mean Native Hawaiian organizations as defined below.

(10) *Native Hawaiian* means any individual who is a descendant of the

original people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

(11) *Native Hawaiian organization* means any organization that:

- (i) Serves and represents the interests of Native Hawaiians;
- (ii) Has as a primary and stated purpose the provision of services to Native Hawaiians; and
- (iii) Has expertise in Native Hawaiian affairs.

Such organizations shall include the Office of Hawaiian Affairs and *Hui Mālama I Nā Kūpuna 'O Hawai'i Nei*.

(12) *Indian tribe official* means the individual officially designated by the governing body of an Indian tribe as responsible for matters relating to these regulations.

(13) *Traditional religious leader* who is recognized by members of that Indian tribe as:

- (i) Being responsible for performing cultural duties relating to the ceremonial or religious traditions of that group, or
- (ii) Exercising a leadership role in an Indian tribe based on the group's cultural, ceremonial, or religious practices.

(14) *Lineal descendant* means an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe to a known Native American individual whose remains, funerary objects, or sacred objects are being claimed under these regulations.

(15) *Person* means an individual, partnership, corporation, trust, institution, association, or any other private entity, or, any official, employee, agent, department, or instrumentality of the United States, or of any Indian tribe, or of any State or political subdivision thereof.

(b) *Human remains and cultural items* are specific Native American human remains or objects. For the purposes of these regulations, the term:

(1) *Human remains* means the physical remains of a human body, including but not limited to bones, teeth, hair, ashes, or mummified or otherwise preserved soft tissues of a person of Native American ancestry. The term does not include remains or portions of remains freely given by the individual from whose body there were obtained, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, human remains incorporated into a cultural item, as defined below, shall be considered as part of that cultural item.

(2) *Cultural items* means, collectively, associated funerary objects, unassociated funerary objects, sacred objects, and objects of cultural patrimony.

(3) *Associated funerary objects* means:

- (i) Items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains that also are currently in the possession or control of a museum or Federal agency, or
- (ii) Other items reasonably believed to have been made exclusively for burial purposes or to contain human remains.

(4) *Unassociated funerary objects* means items that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been intentionally placed with or near individual human remains, either at the time of death or later, but for which the associated human remains are not in the possession or control of a museum or Federal agency. These cultural items must be identified by a preponderance of the evidence as having been removed from a specific burial site of an individual culturally affiliated with a particular Indian Tribe or as being related to specific individuals or families or to known human remains.

(5) *Sacred objects* means items that are specific ceremonial objects needed by traditional Native American religious leaders for the current practice of traditional Native American religions by their present-day adherents. While many items, from ancient pottery shards to arrowheads, might be imbued with sacredness in the eyes of an individual, these regulations are specifically limited to objects that were devoted to a traditional Native American religious ceremony or ritual and which have religious significance or function in the continued observance or renewal of such ceremony.

(6) *Objects of cultural patrimony* means cultural items having ongoing historical, traditional, or cultural importance central to the Indian Tribe itself, rather than property owned by an individual Tribal member. These objects are of such central importance that they may not be alienated, appropriated, or conveyed by any individual Tribal member. Such objects must have been considered inalienable by the culturally affiliated Indian Tribe at the time the object was separated from the group. Objects of cultural patrimony include items such as Zuni War Gods, the Confederacy Wampum Belts of the Iroquois, and other objects of similar character and significance to the Indian Tribe as a whole.

(c) *Cultural affiliation* means that there is a relationship of shared group identity which can reasonably be traced historically or prehistorically between members of a present-day Indian tribe or Native Hawaiian organization and an identifiable earlier group.

(d) *Location* describes the property on which human remains or cultural items are discovered or excavated. As used in these regulations the term:

(1) *Federal lands* means any land other than Tribal lands that are controlled or owned by the United States Government, including lands selected by but not yet conveyed to Alaska Native Corporations and groups organized pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.). United States "control" refers to those lands in which the United States has a legal interest sufficient to permit it to apply these regulations without abrogating the otherwise existing legal rights of a person.

(2) *Tribal lands* means all lands, excluding privately owned lands, which:

(i) Are within the exterior boundaries of any Indian reservation including, but not limited to, allotments held in trust or subject to a restriction on alienation by the United States;

(ii) Comprise dependent Indian communities as recognized pursuant to 18 U.S.C. 1151;

(iii) Are administered for the benefit of Native Hawaiians pursuant to the Hawaiian Homes Commission Act of 1920 and Section 4 of the Hawaiian Statehood Admission Act (Pub.L. 86-3; 73 Stat. 6).

(3) *Aboriginal lands* means Federal land that is recognized by a final judgment of the Indian Claims Commission or the United States Claims Court as land aboriginally occupied by an Indian Tribe.

(e) *Procedures* are the processes that are required to implement these regulations. As used in these regulations, the term:

(1) *Summary* means the written description of collections that may contain unassociated funerary objects, sacred objects, and objects of cultural patrimony required by § 10.8 of these regulations.

(2) *Inventory* means the item-by-item description of human remains and associated funerary objects.

(3) *Intentional excavation* means the planned archeological removal of human remains or cultural items found under or on the surface of Federal or Tribal lands.

(4) *Inadvertent discovery* means the unanticipated encounter or detection of human remains or cultural items found

under or on the surface of Federal or Tribal lands pursuant to Section 3 (d) of the Act.

(5) *Possession* by a museum or Federal agency of human remains or cultural items means having physical custody of such objects with a sufficient legal interest to lawfully treat the objects as part of its collection for purposes of these regulations.

(6) *Control* means having a legal interest in human remains or cultural items sufficient to lawfully permit the museum or Federal agency to treat the objects as part of its collection for purposes of these regulations whether or not the remains and cultural items are in the physical custody of the museum or Federal agency.

#### Subpart B—Human Remains and Cultural Items From Federal or Tribal Lands

##### § 10.3 Intentional excavations.

(a) *General.* This section implements Section 3 (c) of the Act regarding the ownership or control of human remains and cultural items that are intentionally excavated from Federal or Tribal lands after November 16, 1990:

(b) *Specific requirements.* These regulations permit the intentional excavation of human remains or cultural items from Federal or Tribal lands only if:

(1) The objects are excavated pursuant to applicable legal requirements, including, if otherwise required, a permit issued pursuant to the Archaeological Resources Protection Act (16 U.S.C. 470aa et seq.);

(2) The objects are excavated after consultation with or, in the case of Tribal lands, consent of, the appropriate Indian Tribe;

(3) The disposition of the objects is consistent with their ownership as described below; and

(4) Proof of the consultation or consent is shown.

(c) *Procedures.* (1) Any person who proposes to undertake an activity on Federal or Indian lands that may result in the excavation of human remains or cultural items shall immediately notify in writing the responsible Federal agency official or Indian tribe official. The requirements of these regulations regarding the planned activity shall apply whether or not this required notice is or was duly provided.

(2) The Federal agency official shall take reasonable steps to determine whether a planned activity, of which he or she has received notice or otherwise is aware, may result in the excavation of human remains or cultural items from Federal lands. Prior to issuing any

approvals or permits for activities otherwise required by law, the Federal agency official shall notify in writing the Indian Tribe or Tribes that are likely to be culturally affiliated with any human remains or cultural items that may be excavated. The Federal official shall also notify any present-day Indian Tribe which aboriginally occupied the area of the activity and any other Indian Tribes that the Federal official reasonably believes may have a relationship to the human remains and cultural items that are expected to be found. The notice shall be in writing and shall describe the planned activity, its general location, the basis upon which it was determined that human remains or cultural items may be excavated, and, the basis for determining likely cultural affiliation pursuant to § 10.14. The notice shall also propose a time and place for meetings or consultations to further consider the activity, the Federal agency's proposed treatment of any human remains or cultural items that may be excavated, and the proposed disposition of any excavated human remains or cultural items. Consultation shall be conducted pursuant to § 10.5.

(3) If the planned activity is also subject to review under section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq.), the Federal agency official should coordinate consultation and any subsequent agreement for compliance conducted under that Act with the requirements of § 10.3 (c)(2) and § 10.5. Compliance with these regulations does not relieve Federal officials of requirements to comply with section 106 of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(4) If an Indian Tribe receives notice of a planned activity or otherwise becomes aware of a planned activity that may result in the excavation of human remains or cultural items on Indian lands, the Indian Tribe should take appropriate steps to make certain that any human remains or cultural items excavated or discovered as a result of the planned activity are disposed of in accordance with their ownership as described in § 10.6.

##### § 10.4 Inadvertent discoveries.

(a) *General.* This section implements section 3 (d) of the Act regarding the ownership or control of human remains and cultural items that are discovered inadvertently on Federal or Tribal lands after November 16, 1990.

(b) *Discovery.* Any person who knows of the discovery of human remains or cultural items on Federal or Tribal lands after November 16, 1990, must provide

notification of the discovery, in writing, to the responsible Federal agency official with respect to Federal lands, and, with respect to Tribal lands, to the responsible Indian Tribe official. The requirements of these regulations regarding discoveries shall apply whether or not a discovery is duly reported.

(c) *Ceasing activity.* If the discovery occurred in connection with an ongoing activity on Federal or Tribal lands, the person, in addition to providing the notice described above, shall stop the activity in the area of the discovery and make a reasonable effort to protect the human remains or cultural items discovered.

(d) *Federal lands.* Upon receipt of such a notification with respect to Federal lands, the responsible Federal agency official shall:

(1) Immediately certify receipt of the notification;

(2) Take immediate steps, if necessary, to secure and protect discovered human remains and cultural items, including, as appropriate, stabilization or covering;

(3) Notify within one (1) working day the known Indian Tribe or Tribes likely to be culturally affiliated with the discovered human remains or cultural items, and, if known, the present-day Indian Tribe which aboriginally occupied the area and any other Indian Tribe that is reasonably known to have a relationship to the human remains or cultural items. The notice shall include pertinent information as to kind of material, condition, and the circumstances of the discovery;

(4) Initiate consultation on the discovery pursuant to § 10.5.

(e) *Resumption of activity.* The activity that resulted in the inadvertent discovery may resume thirty (30) days after certification by the notified Federal agency or Indian Tribe of receipt of the notice of discovery if the resumption of the activity is otherwise lawful. The activity may also be resumed, if otherwise lawful, at any time that a written, binding agreement is executed between the necessary parties that adopts a recovery plan for the removal, treatment, and disposition of the human remains or cultural items in accordance with their ownership.

(f) *Indian tribes.* Indian Tribes that are notified or otherwise become aware of a discovery of human remains or cultural items on their Tribal lands should take appropriate steps to assure that the human remains or cultural items are protected and disposed of in accordance with their ownership as described below.



(g) *Federal agency officials.* Federal agency officials should coordinate their responsibilities under this section with emergency discovery responsibilities under Section 106 of the National Historical Preservation Act (16 U.S.C. 470 (f) *et seq.*), 36 CFR 800.11 or section 3 (a) of the Archeological and Historic Preservation Act (16 U.S.C. 469 (a-c)). Compliance with these regulations does not relieve Federal officials of the requirement to comply with section 106 of the National Historical Preservation Act (16 U.S.C. 470 (f) *et seq.*), 36 CFR 800.11 or section 3 (a) of the Archeological and Historic Preservation Act (16 U.S.C. 469 (a-c)).

#### § 10.5 Consultation.

Consultation as part of the discovery or excavation of human remains or cultural items on Federal lands shall be conducted in accordance with the following requirements:

(a) *Consulting parties.* Federal agency officials shall consult with Indian Tribe officials and traditional religious leaders and known lineal descendants:

- (1) That are, or are likely to be, culturally affiliated with human remains and cultural items; and
- (2) On whose aboriginal lands the planned activity will occur or where the discovery has been made.

(b) *Initiation of consultation.* Upon receiving notice of, or otherwise becoming aware of, an inadvertent discovery or planned activity that has resulted or may result in the excavation or discovery of human remains and cultural items on Federal lands, the responsible Federal agency official shall, as part of the procedures described in § 10.3 and § 10.4, take appropriate steps to establish the likely cultural affiliation of the objects pursuant to § 10.14. The Federal official shall notify in writing the Indian Tribe or Tribes that are likely to be culturally affiliated with them, and, if known, the lineal descendants of the deceased individual, as well as any present-day Indian Tribe which aboriginally occupied the area and other Indian Tribes that may have a relationship to the human remains and cultural items. The consultation shall seek to identify traditional religious leaders who should also be consulted and seek to identify, where applicable, lineal descendants and Indian Tribes related to the human remains and cultural items.

(c) *Provision of information.* During the consultation process, as appropriate, the Federal agency official shall provide the following information in writing to officials of Indian Tribes that are or are likely to be culturally affiliated with human remains and cultural items

excavated or discovered on Federal lands:

(1) A list of all Indian Tribes that are being, or have been, consulted regarding the particular human remains and cultural items;

(2) An indication that additional documentation used to identify cultural affiliation will be supplied upon request.

(d) *Requests for information.* During the consultation process, Federal agency officials shall request, as appropriate, the following information from Indian Tribes that are, or are likely to be, culturally affiliated with excavated or discovered human remains and cultural items:

- (1) Name and address of the Indian Tribe official to act as representative in consultations related to particular human remains and cultural items;
- (2) Names and appropriate methods to contact lineal descendants who should be contacted to participate in the consultation process;
- (3) Names and appropriate methods to contact any traditional religious leaders who should be consulted regarding the collections;
- (4) Recommendations on how the consultation process should be conducted; and
- (5) Kinds of cultural items that the Indian Tribe considers likely to be unassociated funerary objects, sacred objects, or objects of cultural patrimony.

(e) *Written plan of action.* The consultation should result in a written plan, approved and signed by the Federal agency official, Indian Tribe official(s) and other parties may sign as appropriate. At a minimum, the plan of action should document the following:

- (1) The kinds of objects to be considered as cultural items as defined in § 10.2 (b);
- (2) The specific information used to determine cultural affiliation pursuant to § 10.14;
- (3) The treatment, care, and handling of human remains and cultural items recovered;
- (4) The archeological recording of the human remains and cultural items recovered;
- (5) The kinds of analysis for each kind of object;
- (6) Any steps to be followed to contact Indian Tribe officials at the time of excavation of specific human remains or cultural items;
- (7) The kind of traditional treatment, if any, to be afforded the human remains or cultural items;
- (8) The nature of reports to be prepared; and
- (9) The disposition of human remains and cultural items in accordance with their ownership.

#### (f) *Programmatic agreements.*

Whenever possible, Federal agencies should enter into programmatic agreements with Indian Tribes that are culturally affiliated with specific human remains or cultural items and have claimed, or are likely to claim, those human remains or cultural items excavated or discovered on Federal lands. These agreements should address all Federal agency land management activities that could result in the excavation or discovery of human remains or cultural items. Consultation should lead to the establishment of a process for effectively implementing the requirements of these regulations regarding standard consultation procedures, the establishment of cultural affiliation consistent with procedures in this section, and the treatment and disposition of human remains or cultural items. The agreements, or the correspondence related to the effort to reach agreements, shall constitute proof of consultation as required by these regulations.

(g) *Traditional religious leaders.* The Federal agency official shall be cognizant that Indian Tribe officials may need to confer with traditional religious leaders prior to making recommendations.

#### § 10.6 Ownership.

(a) *Priority of ownership.* This section implements section 3 (a) of the Act, subject to the limitations of § 10.15, regarding the ownership or control of human remains and cultural items excavated or discovered on Federal or Tribal lands after November 18, 1990. Ownership or control of these human remains and cultural items is, with priority given in the order listed:

- (1) In the case of human remains and associated funerary objects, in the lineal descendant of the deceased individual as determined pursuant to § 10.14 (b);
- (2) In cases where a lineal descendant cannot be ascertained or no claim is made, and with respect to unassociated funerary objects, sacred objects, and objects of cultural patrimony:
  - (i) In the Indian Tribe on whose Tribal land the human remains or cultural items were discovered;
  - (ii) In the Indian Tribe that has the closest cultural affiliation with the human remains or cultural items as determined pursuant to § 10.14 (c); or
  - (iii) In circumstances in which the cultural affiliation of the human remains and cultural items cannot be ascertained and the objects were discovered on Federal land that is recognized by a final judgment of the Indian Claims Commission or the

United States Court of Claims as the aboriginal land of an Indian Tribe:

(A) In the Indian Tribe aboriginally occupying the Federal land on which the objects were discovered, or

(B) If it can be shown by a preponderance of the evidence that a different Indian Tribe has a stronger cultural relationship with the human remains and cultural items, in the Indian Tribe that has the strongest demonstrated relationship.

(b) *Applicability of these regulations to the ownership of human remains and cultural items:* The ownership of human remains or cultural items and other provisions of the Act apply to all planned excavations and inadvertent discoveries made after November 16, 1990, including those made before the effective date of these regulations.

(c) *Final notice, claims and disposition with respect to Federal lands.* Upon determination of the lineal descendant or Indian Tribe that appears to own particular human remains or cultural items excavated or discovered on Federal lands, the responsible Federal agency official shall, subject to the notice required herein and the limitations of § 10.15, transfer ownership or control of the objects to the Indian Tribe or lineal descendants in accordance with appropriate procedures, which shall respect traditional customs and practices. Prior to any such disposition by a Federal agency official, the Federal agency official shall publish a general notice of the proposed disposition in a newspaper of general circulation in the area in which the human remains or cultural items were excavated or discovered. The notice shall provide information as to the nature and cultural affiliation, of the human remains and cultural items and shall solicit further claims to ownership. The notice shall be published at least two (2) times at least a week apart, and the transfer shall not take place until at least thirty (30) days after the publication of the second notice to allow time for any additional claimants to come forward. If additional claimants do come forward and the Federal agency official cannot clearly determine which claimant is the proper recipient, the Federal agency shall not transfer ownership or control of the objects until such time as the proper recipient is determined pursuant to these regulations. The Federal agency official shall send a copy of the notice and information on when and in what newspaper to the Departmental Consulting Archeologist.

**§ 10.7 Disposition of unclaimed human remains and cultural items. [Reserved]**

**Subpart C—Human Remains or Cultural Items in Museums and Federal Collections**

**§ 10.8 Summaries.**

(a) *General.* This section implements section 6 of the Act. Under section 6, each museum or Federal agency that has possession or control over collections which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony is to provide a summary of these collections based upon available information held by the museum or Federal agency. The purpose of the summary is to provide information about the collections to lineal descendants and culturally affiliated Indian Tribes that may wish to request repatriation of such objects. The summary serves in lieu of an object-by-object inventory of these collections, although, if an inventory is available, it may be substituted. Federal agencies are responsible for ensuring that these requirements are met for all collections from their lands or generated by their undertakings whether the collections are held by the Federal agency or by a non-Federal institution.

(b) *Contents of summaries.* For each collection or portion of a collection, the summary shall include: an estimate of the number of objects in the collection or portion of the collection; a description of the kinds of objects included; reference to the means, date(s), and location(s) in which the collection was acquired, where readily ascertainable; and information relevant to identifying lineal descendants, if available, and cultural affiliation.

(c) *Completion.* Summaries shall be completed not later than November 16, 1993.

(d) *Consultation.* (1) Consulting parties. Museum and Federal agency officials shall consult with:

(i) Lineal descendants, when known or claimed on the basis of the traditional kinship system, of individuals whose unassociated funerary objects or sacred objects are likely to be subject to the summary provisions of these regulations; and

(ii) Officials and traditional religious leaders identified by Indian Tribes:

(A) From whose Tribal lands unassociated funerary objects, sacred objects, or objects of cultural patrimony originated;

(B) From whose aboriginal lands unassociated funerary objects, sacred objects, or objects of cultural patrimony originated; and

(C) That are, or are likely to be, culturally affiliated with unassociated

funerary objects, sacred objects, or objects of cultural patrimony.

(2) Initiation of consultation. Museum and Federal agency officials shall begin summary consultation no later than the completion of the summary process.

(3) Provision of information. During summary consultation, museums and Federal agency officials shall provide copies of the summary to lineal descendants, when known, and to officials and traditional religious leaders. Upon request, museum and Federal agency officials shall provide Indian Tribes with access to records, catalogues, relevant studies, or other pertinent data for the limited purposes of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of objects covered by the summary. This information may be requested at any time and shall be provided in a reasonable manner to be agreed upon by all parties. The Review Committee also shall be provided access to such materials.

(4) Requests for information. During the summary consultation, museum and Federal agency officials shall request, as appropriate, the following information from Indian Tribes that are, or are likely to be, culturally affiliated with their collections:

(i) Name and address of the Indian Tribe official to act as representative in consultations related to particular objects;

(ii) Names and appropriate methods to contact any lineal descendants, if known, of individuals whose unassociated funerary objects or sacred objects are included in the summary;

(iii) Names and appropriate methods to contact traditional religious leaders who should be consulted regarding the collections;

(iv) Recommendations on how the consultation process should be conducted; and

(v) Kinds of cultural items that the Indian Tribe considers to be sacred objects or objects of cultural patrimony.

(e) *Notification.* Repatriation of unassociated funerary objects, sacred objects, or objects of cultural patrimony to lineal descendants or culturally affiliated Indian Tribes as determined pursuant to § 10.10 (a), shall not proceed prior to submission of an object-by-object list of the objects being requested and a notice of intent to repatriate to the Departmental Consulting Archeologist. The object-by-object description shall include, if available:

(1) Accession and catalogue entries for each object;

(2) Information related to the acquisition of each object, including the name of the person or organization from whom the object was obtained, if known;

(3) The date each object was acquired;

(4) The place each object was acquired, i.e., name or number of site, county, state, and Federal agency administrative unit, if applicable;

(5) The means of acquisition, i.e., gift, purchase, excavation, etc.;

(6) The antiquity of each object, if known;

(7) A description of each object, including dimensions, materials, and photographic documentation, if appropriate;

(8) A summary of the evidence used to determine the cultural affiliation of each object pursuant to § 10.14.

The notice of intent to repatriate shall summarize the object-by-object description in sufficient detail so as to enable other individuals or Indian Tribes to determine their interest in the claimed objects. It shall include information that identifies each particular set of claimed unassociated funerary objects, sacred objects, or objects of cultural patrimony and the circumstances surrounding its acquisition and describes the objects that are clearly identifiable as to Tribal origin. It shall also describe the objects that are not clearly identifiable as being culturally affiliated with a particular Indian Tribe, but which, given the totality of circumstances surrounding acquisition of the objects, are likely to be culturally affiliated with a particular Indian Tribe. The Departmental Consulting Archeologist shall publish the notice of intent to repatriate in the Federal Register.

#### § 10.9 Inventories.

(a) *General.* This section implements section 5 of the Act. Under section 5, each museum or Federal agency that has possession or control over holdings or collections of human remains and associated funerary objects is to compile an inventory of such objects, and, to the fullest extent possible based on information possessed by the museum or Federal agency, identify the geographical and cultural affiliation of each item. The purpose of the inventory is to facilitate repatriation by providing clear descriptions of human remains and associated funerary objects and establishing the cultural affiliation between these objects and present-day Indian Tribes. Museums and Federal agencies are encouraged to undertake inventories on those portions of their collections for which information is

readily available or about which Indian Tribes have expressed special interest. Early focus on these parts of collections will result in repatriations that may serve as models for other inventories.

Federal agencies are responsible for ensuring that these requirements are met for all collections from their lands or generated by their undertakings whether the collections are held by the Federal agency or by a non-Federal institution.

(b) *Consultation.* (1) Consulting parties. Museum and Federal agency officials shall consult with:

(i) Lineal descendants, when known or claimed on the basis of the traditional kinship system, of individuals whose remains and associated funerary objects are likely to be subject to the inventory provisions of these regulations; and

(ii) Officials and traditional religious leaders identified by Indian Tribes:

(A) From whose Tribal lands human remains and associated funerary objects originated;

(B) From whose aboriginal lands human remains and associated funerary objects originated; and

(C) That are, or are likely to be, culturally affiliated with human remains and associated funerary objects.

(2) Initiation of consultation. Museum and Federal agency officials shall begin inventory consultation no later than the point in the inventory process at which the cultural affiliation of human remains and associated funerary objects is being investigated actively.

(3) Provision of information. During inventory consultation, museums and Federal agency officials shall provide the following information in writing to lineal descendants, when known, and to Indian Tribe officials and traditional religious leaders.

(i) A list of all Indian Tribes that are, or have been, consulted regarding the particular human remains and associated funerary objects;

(ii) A general description of the conduct of the inventory;

(iii) The projected time frame for conducting the inventory; and

(iv) An indication that additional documentation used to identify cultural affiliation will be supplied upon request.

(4) Requests for information. During the inventory consultation, museum and Federal agency officials shall request, as appropriate, the following information from Indian Tribes that are, or are likely to be, culturally affiliated with their collections:

(i) Name and address of the Indian Tribe official to act as representative in consultations related to particular

human remains and associated funerary objects;

(ii) Names and appropriate methods to contact any lineal descendants of individuals whose remains and funerary objects are or are likely to be included in the inventory;

(iii) Names and appropriate methods to contact traditional religious leaders who should be consulted regarding the collections;

(iv) Recommendations on how the consultation process should be conducted; and

(v) Kinds of cultural objects that the Indian Tribe reasonably believes to have been made exclusively for burial purposes or to contain human remains of their ancestors.

(c) *Required information.* The following documentation shall be included, if available, for all inventories:

(1) Accession and catalogue entries, including the accession/catalogue entries of human remains with which funerary objects were associated;

(2) Information related to the acquisition of each object, including the name of the person or organization from whom the object was obtained, if known;

(3) The date each object was acquired;

(4) The place each object was acquired, i.e., name or number of site, county, state, and Federal agency administrative unit, if applicable;

(5) The means of acquisition, i.e., gift, purchase, excavation, etc.;

(6) The antiquity of the human remains and associated funerary objects, if known;

(7) A description of each set of human remains or associated funerary objects, including dimensions, materials, and photographic documentation, if appropriate;

(8) A summary of the evidence used to determine the cultural affiliation of the human remains or associated funerary objects pursuant to § 10.14 of these regulations.

(d) *Documents.* Two separate documents shall comprise the inventory:

(1) A listing of all human remains and associated funerary objects that are identified as being culturally affiliated with one or more present-day Indian Tribes. The list must indicate for each item or set of items whether cultural affiliation is clearly determined or likely; and

(2) A listing of all human remains and associated funerary objects for which no culturally affiliated present-day Indian Tribe can be determined.

(e) *Notification.* (1) If the inventory results in the identification or likely

identification of the cultural affiliation of any particular human remains or associated funerary objects, the museum or Federal agency, not later than six (6) months after completion of the inventory, shall send culturally affiliated Indian Tribes the inventory of culturally affiliated human remains and a notice of inventory completion that summarizes the results of the inventory.

(2) The notice of inventory completion shall summarize the contents of the inventory in sufficient detail so as to enable the recipients to determine their interest in the inventoried items. It shall include information that identifies each particular set of human remains or associated funerary objects and the circumstances surrounding its acquisition, describes the human remains or associated funerary objects that are clearly identifiable as to cultural affiliation, and describes the human remains and associated funerary objects that are not clearly identifiable as being culturally affiliated with an Indian Tribe, but which, given the totality of circumstances surrounding acquisition of the human remains or associated objects, are identified as likely to be culturally affiliated with a particular Indian Tribe.

(3) If the inventory results in a determination that the human remains are of an identifiable individual, the Museum of Federal agency official shall convey this information to the Indian Tribe of which the deceased was a member, and, if known, shall so notify any lineal descendant of the deceased individual.

(4) The notification of inventory completion and a copy of the inventory shall also be sent to the Departmental Consulting Archeologist. These submissions shall be sent in both printed hard copy and electronic formats. Information on the proper format for electronic submission and suggested alternatives for museums unable to meet these requirements are available from the Departmental Consulting Archeologist.

(5) Upon request by an Indian Tribe that has received or should have received notice of inventory results as described above, a museum or Federal agency shall supply additional available documentation to supplement the information provided with the notice. For these purposes, the term "documentation" means a summary of existing museum or Federal agency records including inventories or catalogues, relevant studies, or other pertinent data for the limited purpose of determining the geographical origin, cultural affiliation, and basic facts

surrounding the acquisition and accession of human remains and associated funerary objects.

(6) In the event that the inventory results in a determination that the museum or Federal agency has possession of or control over human remains or associated funerary objects that cannot be identified as affiliated with a particular Indian Tribe, the museum or Federal agency shall provide the Department Consulting Archeologist notice of this result and a copy of the list of culturally unidentifiable human remains and associated funerary objects. The Departmental Consulting Archeologist shall make this information available to members of the Review Committee.

(7) The Departmental Consulting Archeologist shall publish notices of inventory completion received from Museums and Federal agencies in the Federal Register.

(f) *Completion.* Inventories shall be completed not later than November 16, 1995. Any museum that has made a good faith effort to complete its inventory, but which will be unable to complete the process by this deadline, may request an extension of the time requirements from the Secretary. An indication of good faith efforts shall include, but not necessarily be limited to, the initiation of active consultation and documentation regarding the collection and the development of a written plan to carry out the inventory process. Minimum components of an inventory plan are: A definition of the steps required; the position titles of the persons responsible for each step; the planned schedule of implementation of the plan; and a description of the efforts proposed to obtain the funding required to implement the plan.

#### § 10.10 Repatriation.

(a) *Unassociated funerary objects, sacred objects, and objects of cultural patrimony.* (1) Criteria. If the following criteria are met for unassociated funerary objects, sacred objects, or objects of cultural patrimony, a museum or Federal agency will expeditiously repatriate the objects upon request pursuant to section 7 of the Act:

- (i) The object meets the definitions established § 10.2 (b) (4), (5) or (6);
- (ii) The cultural affiliation of the object is established pursuant to § 10.14 through the summary, consultation, and notification procedures.
- (iii) The known lineal descendant or Indian Tribe presents evidence which, if standing alone before the introduction of evidence to the contrary, would support a finding that the Federal agency or museum does not have a right

of possession to the objects as defined below.

(iv) The agency or museum is unable to present evidence to the contrary proving that it does have a right of possession as defined below.

(v) None of the specific exceptions listed in § 10.10 (c) apply.

(2) Right of possession. For purposes of these regulations, "right of possession" means possession obtained with the voluntary consent of an individual or group that had authority of alienation. The original acquisition of a Native American unassociated funerary object, sacred object, or object of cultural patrimony from an Indian Tribe with the voluntary consent of an individual or group with authority to alienate such object is deemed to give right of possession to that object.

(3) Notification. A requested repatriation shall take place within ninety (90) days of receipt, provided that it may not occur until at least thirty (30) days after publication of the notice of intent to repatriate in the Federal Register as described in § 10.8.

(b) *Human remains and associated funerary objects.* (1) Criteria. If the following criteria are met for human remains and associated funerary objects, the museum or Federal agency will expeditiously repatriate the remains and objects.

(i) The remains or associated funerary object meets the definitions established in § 10.2 (b)(1) or (b)(3).

(ii) The cultural affiliation of the deceased individual to known lineal descendant or present day Indian Tribe has been reasonably traced by the standards set forth in § 10.14 through the inventory and consultation process.

(iii) None of the specific exceptions listed in § 10.10 (c) apply.

(2) Notification. A requested repatriation shall take place within ninety (90) days of receipt, provided that it may not occur until at least thirty (30) days after publication of the notice of inventory completion in the Federal Register as described in § 10.9.

(c) *Exceptions.* These requirements for repatriation shall not apply to:

(1) Circumstances where human remains or cultural items are indispensable to the completion of a specific scientific study commenced prior to receipt of a request for repatriation, the outcome of which is of major benefit to the United States. Human remains and cultural items in such circumstances shall be returned no later than ninety (90) days after completion of the study; or

(2) Circumstances where there are multiple requests for repatriation of human remains or cultural items and

the museum or Federal agency, after complying with these regulations, cannot clearly determine which requesting party is the proper recipient. In such circumstances, the museum or Federal agency shall retain the human remains and cultural items until such time as the requesting parties agree upon their recipients or the dispute is otherwise resolved pursuant to these regulations or as ordered by a court of competent jurisdiction; or

(3) Circumstances where the repatriation of human remains and cultural items in the possession or control of a museum would result in a taking of property within the meaning of the Fifth Amendment of the United States Constitution in which event the ownership or custody of the objects shall be as provided under otherwise applicable law. Nothing in these regulations shall prevent a museum or Federal agency, where otherwise so authorized, or a lineal descendant or Indian Tribe, from expressly relinquishing title to, right of possession of, or control over any human remains or cultural items.

(4) Circumstances where the repatriation is not consistent with other repatriation limitations identified in § 10.15 of these regulations.

(d) *Place and manner of repatriation.* The repatriation of human remains and cultural items shall be accomplished by the museum or Federal agency in consultation with the requesting lineal descendants or culturally affiliated Indian Tribe, as appropriate, to determine the place and manner of the repatriation.

(e) *Record of repatriation.* Museums and Federal agencies shall adopt internal procedures adequate to permanently document the content and recipients of all repatriations.

(f) *Unaffiliated human remains.* If the cultural affiliation of human remains cannot be established pursuant to these regulations, the remains shall be considered unaffiliated. Museum and Federal agency officials shall report the inventory information regarding such remains in their holdings to the Departmental Consulting Archeologist who will transmit this information to the Review Committee. The Review Committee is responsible for compiling an inventory of unaffiliated human remains in the possession or control of each museum and Federal agency, and, for recommending to the Secretary specific actions for disposition of such human remains.

§ 10.11 Disposition of Culturally Unidentifiable Human Remains. [Reserved]

§ 10.12 Civil Penalties. [Reserved]

§ 10.13 Future Applicability. [Reserved]

Subpart D—General

§ 10.14 Lineal Descent and Cultural Affiliation.

(a) *General.* This section identifies procedures for determining lineal descent and cultural affiliation between present-day individuals and Indian Tribes and human remains and cultural items in museum or Federal agency collections or discovered or excavated from Federal lands. They may also be used by Indian Tribes with respect to Tribal lands.

(b) *Criteria for determining lineal descent.* A lineal descendant is an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian Tribe to a known Native American individual whose remains, funerary objects, or sacred objects are being requested under these regulations. This standard requires that the earlier person be identified as an individual whose descendants can be traced.

(c) *Criteria for determining cultural affiliation.* "Cultural affiliation" means a relationship of shared group identity that may be reasonably traced historically or prehistorically between a present-day Indian Tribe and an identifiable earlier group. All of the following requirements must be met in order to determine cultural affiliation between a present-day Indian Tribe and the human remains and cultural items of an earlier group:

(1) Existence of an identifiable present-day Indian Tribe.

(2) Evidence of the existence of an identifiable earlier group. Evidence to support this requirement must:

(i) Establish the identity and cultural characteristics of the earlier group,

(ii) Document distinct patterns of material culture manufacture and distribution methods for the earlier group, or

(iii) Establish the existence of the earlier group as a biologically distinct population.

(3) Evidence of the existence of a shared group identity that can be reasonably traced between the present-day Indian Tribe and the earlier group. Evidence to support this requirement must establish that a present-day Indian Tribe has been identified from prehistoric or historic times to the present as descending from the earlier group.

(d) *Evidence.* Evidence of a kin or cultural affiliation between a present-day individual or Indian Tribe and human remains and cultural items shall be established by using the following types of evidence: Geographical, kinship, biological, archeological, anthropological, linguistic, folklore, oral tradition, historical, or other relevant information or expert opinion.

(e) *Standard of proof.* Lineal descent of a present-day individual from an earlier individual and cultural affiliation of a present-day Indian Tribe to human remains and cultural items shall be established by a preponderance of the evidence. Claimants do not have to establish cultural affiliation with scientific certainty.

§ 10.15 Repatriation Limitations and Remedies.

(a) *Failure to claim prior to repatriation.* Any person who fails to make a timely claim for disposition or repatriation of human remains and cultural items subject to subpart C of these regulations, or, with respect to Federal lands, subpart B of these regulations, prior to the repatriation or transfer of the items shall be deemed to have irrevocably waived any right to claim such human remains or cultural items pursuant to these regulations or the Act. For these purposes, a "timely claim" shall mean the filing of a written claim with a responsible Federal agency or museum official prior to the time the particular human remains or cultural items at issue are duly repatriated or disposed of to a claimant by a museum or Federal agency pursuant to these regulations. If there is more than one (1) claimant, the human remains and/or cultural items shall be held by the responsible museum or Federal agency or person having custody thereof pending resolution of the claim. Any person who has custody of such human remains or cultural items and does not claim entitlement to them shall place the objects in the custody of the responsible museum or Federal agency for retention until the question of ownership is resolved.

(b) *Failure to claim where no repatriation or disposition has occurred.* [Reserved]

(c) *Exhaustion of remedies.* No person shall be considered to have exhausted his or her administrative remedies with respect to the repatriation or disposition of human remains or cultural items subject to subpart B of these regulations, or, with respect to Federal lands, subpart C of these regulations, until such time as the person has filed a written claim for repatriation or disposition of the objects with the

responsible museum or Federal agency and the claim has been denied.

#### § 10.16 Review committee.

(a) *General.* The Review Committee shall advise Congress and the Secretary on matters relating to the Act and these regulations, including, but not limited to, monitoring the performance of museums and Federal agencies in carrying out their responsibilities, facilitating and making recommendations on the resolution of disputes as described further in § 10.17, and compiling a record of culturally unidentifiable human remains that are in the possession or control of museums and Federal agencies and recommending actions for their disposition.

(b) *Recommendations.* Any recommendation, finding, report, or other action of the Review Committee is advisory only and shall not be binding on any person. Any records and findings made by the Review Committee may be admissible as evidence in actions brought by persons alleging a violation of the Act.

#### § 10.17 Dispute resolution.

(a) *Formal and informal resolutions.* Any person who wishes to contest actions taken by museums, Federal agencies, or Indian Tribes with respect to the repatriation and disposition of human remains and cultural items is encouraged to do so through informal negotiations in order to achieve a fair resolution of the matter. The Review Committee may assist in this regard as described below. In addition, the United States District Courts have jurisdiction over any action brought that alleges a violation of the Act.

(b) *Review Committee role.* The Review Committee may facilitate the informal resolution of disputes relating to these regulations among interested parties that are not resolved by good faith negotiations. Review Committee actions may include convening meetings between parties to disputes, making advisory findings as to contested facts, and making recommendations to the disputing parties or to the Secretary as to the proper resolution of disputes consistent with these regulations and the Act.

#### Appendix A to Part 10—Sample Summary

The following is a generic sample and should be used as a guideline for preparation of summaries tailoring the information to the specific circumstances of each case.

Before November 17, 1993  
Chairman or Other Authorized Official  
Indian Tribe

Street  
State

Dear Sir/Madame Chair:

I write to inform you of collections held by our museum which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony that are, or are likely to be, culturally affiliated with your Indian Tribe. This notification is required by Section 8 of the Native American Graves Protection and Repatriation Act.

Our ethnographic collection includes approximately 200 items specifically identified as being manufactured or used by members of your Indian Tribe. These items represent various categories of material culture, including sea and land hunting, fishing, tools, household equipment, clothing, travel and transportation, personal adornment, smoking, toys, and figurines. The collection includes thirteen objects identified in our records as "medicine bags."

Approximately half of these items were collected by John Doe during his expedition to your reservation in 1903 and accessioned by the museum that same year (see Major Museum Publication, no. 65 (1965)).

Another 50 of these items were collected by Jane Roe during her expeditions to your reservation between 1950-1960 and accessioned by the museum in 1970 (see Major Museum: no. 75 (1975)). Accession information indicates that several of these items were collected from members of the Able and Baker families.

For the remaining approximately 50 items, which were obtained from various collectors between 1930 and 1980, additional collection information is not readily available.

In addition to the above mentioned items, the museum has approximately 50 ethnographic items obtained from the estate of a private collector and identified as being collected from the "northwest portion of the State."

Our archeological collection includes approximately 1,500 items recovered from ten archeological sites on your reservation and another 5,000 items from fifteen sites within the area recognized by the Indian Claims Commission as being part of your Indian Tribe's aboriginal territory.

Please feel free to contact Fred Poe at (012) 345-6789 regarding the identification and potential repatriation of unassociated funerary objects, sacred objects, or objects of cultural patrimony in this collection that are, or are likely to be, culturally affiliated with your Indian Tribe. You are invited to review our records, catalogues, relevant studies or other pertinent data for the purpose of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of these items. We look forward to working together with you.

Sincerely,  
Museum Official  
Major Museum

#### Appendix B to Part 10—Sample Inventory (Reserved)

#### Appendix C to Part 10—Sample Notice of Inventory Completion

The following is an example of a Notice of Inventory Completion published in the Federal Register.

National Park Service  
Notice of Completion of Inventory of Native American Human Remains and Associated Funerary Objects within the Campbell Collection, Joshua Tree National Monument, Twentynine Palms, CA  
AGENCY: National Park Service, Interior.  
ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003(d), of the completion of the inventory of human remains and associated funerary objects within the Campbell Collection, a Federally curated collection at Joshua Tree National Monument, Twentynine Palms, California. Representatives of culturally affiliated Indian tribes are advised that the human remains and associated funerary objects in the Campbell Collection will be retained by the monument until July 20, 1992 after which they may be repatriated to the culturally affiliated groups.

The detailed inventory and assessment of the human remains and associated funerary objects within the Campbell Collection has been made by National Park Service professional curatorial staff, contracted specialists in physical anthropology and prehistoric archeology, and representatives of the following affected tribal organizations:

Agua Caliente Band of Cahuilla Indians  
Twentynine Palms Band of Mission Indians  
Torez Martinez Reservation  
San Manuel Band of Mission Indians  
Cabazon Reservation  
Anza Band of Cahuilla Indians  
Saboba Reservation  
Morongo Reservation  
Coyote Reservation  
Santa Rosa Reservation  
Colorado River Indian Tribes Reservation  
Fort Mojave Indian Reservation  
Chemehuevi Reservation  
Quechan Indian Nation of the Fort Yuma Reservation

Between July 1931 and July 1933, Elizabeth and William Campbell carried out legally authorized archeological studies on Federal public lands now within Joshua Tree National Monument. Among the archeological resources collected were human cremations and artifacts believed to be associated with funerary events practiced by prehistoric and historic Native Americans. Recent assessment studies indicate that eleven individuals are represented; approximately 12,225 Native American artifacts are believed to have been associated with the funerary events. These artifacts include historic glass trade beads, native shell beads, chipped and other stone implements, pottery vessels, clay smoking pipes and human effigies, and animal bone tools. One cremation appears to be 19th Century in date; others may be estimated as

being between 9th to 14th Century in date. The collection does not contain materials which meet the definition of sacred object or objects of cultural patrimony.

Artifactual evidence does not allow specific identification as to tribal origin. However, recent assessment studies on portions of the Campbell Collection indicate basic similarities in crematory practice, ceramics, stone tool manufacture, ornamentation, and bone or shell artifacts of known archeological traditions believed ancestral to contemporary Cabuilla, Serrano, and Colorado River tribal peoples. Ten of the cremations are likely affiliated to Cabuilla or Serrano cultural traditions. One cremation is determined possibly to be of either Colorado

River area cultural affiliation, represented by contemporary Quechan, Mojave, Maricopa or Chemehuevi peoples, or of Diegueño cultural affiliation to the southwest of the monument.

Representatives of any Indian tribe believed to be culturally affiliated with the human remains and associated funerary objects of the Campbell collection that have not been contacted should talk with Superintendent David E. Moore, Joshua Tree National Monument, 74485 National Monument Drive, Twentynine Palms, CA. 92277, (619) 367-3676, before July 20, 1992.

Dated: June 9, 1992.

[Published: June 18, 1992]

Francis P. McManamon

Departmental Consulting Archeologist

Chief, Archeological Assistance Division

**Appendix D to Part 10—Sample Memorandum of Understanding Repatriation [Reserved]**

**Appendix E to Part 10—Sample Memorandum of Understanding Intentional Excavation [Reserved]**

Dated: January 13, 1993.

Mike Hayden,

*Assistant Secretary for Fish and Wildlife and Parks.*

[FR Doc. 93-12823 Filed 5-26-93; 2:01 pm]

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Monday  
December 4, 1995

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Part  
Federal Register

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**Part II**

**Department of the  
Interior**

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Office of the Secretary

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43 CFR Part 10  
Native American Graves Protection and  
Repatriation Act Regulations; Final Rule



**DEPARTMENT OF THE INTERIOR****Office of the Secretary****43 CFR Part 10**

RIN 1024-AC07

**Native American Graves Protection and Repatriation Act Regulations**

AGENCY: Department of the Interior.

ACTION: Final rule.

**SUMMARY:** This final rule establishes definitions and procedures for lineal descendants, Indian tribes, Native Hawaiian organizations, museums, and Federal agencies to carry out the Native American Graves Protection and Repatriation Act of 1990. These regulations develop a systematic process for determining the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony with which they are affiliated.

**EFFECTIVE DATE:** This final rule will take effect on January 3, 1996.

**FOR FURTHER INFORMATION CONTACT:** Dr. Francis P. McManamon, Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service, Box 37127, Washington DC 20013-7127. Telephone: (202) 343-4101. Fax: (202) 523-1547.

**SUPPLEMENTARY INFORMATION:****Background**

On November 16, 1990, President George Bush signed into law the Native American Graves Protection and Repatriation Act, hereafter referred to as the Act. The Act addresses the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony with which they are affiliated. Section 13 of the Act requires the Secretary of the Interior to publish regulations to carry out provisions of the Act.

**Preparation of the Rulemaking**

The proposed rule (43 CFR Part 10) for carrying out the Act was published in the Federal Register on May 28, 1993 (58 FR 31122). Public comment was invited for a 60-day period, ending on July 27, 1993. Copies of the proposed rule were sent to the chairs or chief executive officers of all Indian tribes, Alaska Native villages and corporations, Native Hawaiian organizations, national Indian organizations and advocacy groups, national scientific and museum

organizations, and State and Federal agency Historic Preservation Officers and chief archeologists.

Eighty-two written comments were received representing 89 specific organizations and individuals. These included thirteen Indian tribes, ten Native American organizations, nine museums, seven universities, three national scientific and museum organizations, eleven state agencies, nineteen Federal agencies, nine other organizations, and eight individuals. Several letters represent more than one organization. Comments addressed nearly all sections and appendices of the proposed rule. All comments were fully considered when revising the proposed rule for publication as a final rulemaking.

Given the volume of comments, it is impractical to respond in detail in the preamble to every question raised or suggestion offered. Some commenters pointed out errors in spelling, syntax, and minor technical matters. Those errors were corrected and are not mentioned further in the preamble. In addition, many commenters made similar suggestions or criticisms, or repeated the same suggestion for different sections of the proposed rule. In the interest of reducing the length of the text, comments that are similar in nature are grouped and discussed in the most relevant section in the preamble. Some comments pointed out vague and unclear language. Clarifying and explanatory language was added to the rule and preamble.

**Changes in Response to Public Comment****Section 10.1**

This section outlines the purpose and applicability of the regulations. Three commenters recommended including specific reference to the applicability of the rule to provisions of the United States Code regarding illegal trafficking. Section 4 of the Act, which deals with illegal trafficking in "Native American Human Remains and Cultural Items," is incorporated directly into Chapter 53 of title 18, United States Code, and does not require implementing regulations. For that reason, a section regarding section 4 of the Act has not been included in these regulations.

One commenter recommended including language to guarantee "that these collections will remain intact and always be available to qualified researchers..." Another commenter recommended amending the regulations to preclude the removal of prehistoric skeletal and cultural materials from the nation's museums. The drafters consider

the proposed changes contrary to the intent of the Act as reflected in statutory language and legislative history.

One commenter recommended additional language addressing Federal trust responsibilities and tribal sovereignty. These regulations are consistent with the United States' trust responsibilities to Indian tribes.

Three commenters recommended amending the rule to apply to territories of the United States. The rule of statutory construction stipulates that Federal law applies to United States territories only when specifically indicated. No such reference is indicated in either the statute or its legislative history. It is inappropriate to use regulations to extend applicability to areas not defined in the Act.

**Section 10.2**

This section defines terms used throughout the regulations. One commenter recommended listing the definitions alphabetically instead of thematically under the present categories of "participants," "human remains and cultural items," "cultural affiliation," "location," and "procedures." A thematic organization has been retained. However, the subsections have been retitled and reorganized. The new subsections are (a) who must comply with these regulations?; (b) who has standing to make a claim under these regulations?; (c) who is responsible for carrying out these regulations?; (d) what objects are covered by these regulations?; (e) what is cultural affiliation?; (f) what types of lands do the excavation and discovery provisions of these regulations apply to?; and (g) what procedures are required by these regulations?

Subsection 10.2 (a) includes definitions of those persons or organizations who must comply with these regulations.

One commenter asked for clarification as to whether all Federal agencies as defined in § 10.2 (a)(4) (renumbered as § 10.2 (a)(1)) must comply with provisions of the Act. All Federal agencies, except the Smithsonian Institution, are responsible for completing summaries and inventories of collections in their control and with ensuring compliance regarding inadvertent discoveries and intentional excavations conducted as part of activities on Federal or tribal lands. Three commenters and the Review Committee authorized under section 8 of the Act requested clarification of the exclusion of the Smithsonian Institution as a Federal agency. Sections 2 (4) and 2 (8) of the Act specifically exclude the

Smithsonian Institution from having to comply with the provisions of the Act. The legislative history of the Act is silent as to the reason for this exclusion. The exclusion is likely to have been based on prior passage of the National Museum of the American Indian Act in 1989 that included provisions requiring the repatriation of human remains from all of the Smithsonian Institution's constituent museums.

Seven commenters requested clarification of the definition of Federal agency official in § 10.2 (a)(5) (renumbered as § 10.2 (a)(2)). One commenter recommended changing the term to Federal land manager. The definition included in the proposed rule applies to both individuals with authority for the management of Federal lands and individuals with responsibility for the management of Federal collections that may contain human remains, funerary objects, sacred objects, or objects of cultural patrimony. Since responsibility for the latter task may fall to Federal agency officials who do not manage land, the recommended change has not been made. Four commenters recommended changes in the definition of Federal agency official to reflect that a Federal agency may have more than one delegated authority. The definition was rewritten to reflect this concern. One commenter recommended stipulation of a specific date by which each agency must delegate individuals to perform the duties relating to these regulations. Such a deadline is unnecessary as all Federal agencies have already named their contacts. A listing of Federal agency officials for each agency is available from the Departmental Consulting Archeologist.

Seven commenters requested clarification of the definition of museum in § 10.2 (a)(6) (renumbered § 10.2 (a)(3)). One commenter recommended replacing the term "human remains or cultural items" with "Native American artifacts" to reflect the expanded reporting of "collections that may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony" in the summaries required in § 10.8. The specific focus of the Act and the rule remains limited to Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, and not the broader category of Native American artifacts.

One commenter recommended providing a definition of the term "possession of, or control over" in the first sentence of the definition. One commenter recommended requiring museums take responsibility for all human remains, funerary objects, sacred

objects, or objects of cultural patrimony in their possession that were originally excavated intentionally or discovered inadvertently by Federal agencies on non-Federal lands. All museums or Federal agencies with Native American collections should consider carefully whether they have possession or control of human remains, funerary objects, sacred objects, or objects of cultural patrimony as defined in § 10.2 (a)(3)(i) and (a)(3)(ii).

Eleven commenters recommended changes to the definitions of possession in § 10.2 (e)(5) (renumbered § 10.2 (a)(3)(i)) and control in § 10.2 (e)(6) (renumbered § 10.2 (a)(3)(ii)). One commenter recommended giving both terms their ordinary and customary meaning in the regulations. Two commenters objected to use of "legal interest" in both definitions on the grounds that under common law, museums and Federal agencies do not have sufficient legal interest in human remains to do anything with them. Two commenters questioned including items on loan to a museum in a summary or inventory since the items are not the property of the museum. One commenter recommended deleting the definition of control as it would require Federal bureaucrats and museum officials to make complicated legal determinations. Examples designed to clarify the uses of possession and control have been added to these sections to address the concerns reflected in these comments. Two commenters questioned whether "control" applied to museum collections or to Federal lands. The term applies to human remains, funerary objects, sacred objects, or objects of cultural patrimony in museum or Federal agency collections or excavated intentionally or discovered inadvertently on Federal or tribal lands. One commenter recommended that the definition specifically address Federal agency responsibilities for collections from Federal lands being held by non-governmental repositories. Federal agencies are responsible for the appropriate treatment and care of such collections.

One commenter requested clarification of the exclusion of procurement contracts from "Federal funds" in § 10.2 (a)(6) (renumbered § 10.2 (a)(3)(iii)). Procurement contracts are not considered a form of Federal-based aid but are provided to a contractor in exchange for a specific service or product. One commenter requested deletion of the last two sentences of the definition that clarify the applicability of the rule to museums that are part of a larger entity that

receives Federal funds, questioning if the legislative history supports such an interpretation. One commenter supported the present definition of institutions receiving Federal funds. Application of Federal laws to institutions that receive Federal funds is common, being used with such recent legislation as the Americans with Disabilities Act. These laws typically are interpreted to apply to organizations that are part of larger entities that receive Federal funds. Two commenters recommended specifying the applicability of the rule to museums affiliated with certified local governments and Indian tribal museums. The rule applies to museums that are part of certified local governments. A tribal museum is covered by the Act if the Indian tribe of which it is part receives Federal funds through any grant, loan, or contract (other than a procurement contract).

Subsection 10.2(b) includes definitions of those persons or organizations that have standing to make a claim under these regulations.

Eight commenters recommended changes in the definition of lineal descendant in § 10.2 (a)(14) (renumbered § 10.2 (b)(1)). Two commenters identified the definition as too restrictive. The drafters realize that claims of lineal descent require a high standard but feel that this standard is consistent with the preference for repatriation to lineal descendants required by the Act. Another commenter presented a statistical argument to indicate that all members of Indian tribes might be recognized as lineal descendants of human remains over 1,000 year old. Regardless of the statistical possibilities that someone might be related to another, the definition of lineal descent requires that the human remains, funerary objects, or sacred objects under consideration be from a known individual. It is highly unlikely that the identity of an individual that lived 1,000 years ago is known, or that it is possible to trace descent directly and without interruption from that known individual to a living individual. One commenter recommended replacing the "known Native American individual" from which lineal descent is traced with "known individual of a tribe." The term Indian tribe as used in these regulations refers only to those contemporary tribes, bands, nations, or other organized Indian groups or communities that are recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. Requiring the known individual to have been a member of the

same Federally recognized Indian tribe as their lineal descendant would limit repatriation to only the most recent human remains, funerary objects, or sacred objects and is not supported by the statutory language or legislative history. One commenter recommended deleting reference to use of the "traditional kinship system." Reference to traditional kinship systems is designed to accommodate the different systems that individual Indian tribes use to reckon kinship. One commenter recommended that the definition should also allow more conventional means of reckoning kinship. The definition has been amended to include the common law system of descentance as well as the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization. One commenter recommended defining an additional class of "lineage members" or "kindred"—individuals that are not lineal descendants in the biological sense of the term but are related by the traditional kinship system—and then giving these individuals a secondary priority for making a claim after lineal descendants but before culturally affiliated Indian tribes. Determinations of priority between blood descendants and descendants by some other traditional kinship system are more properly resolved in specific situations rather than through general regulations.

One commenter recommended clarifying the definition of Indian tribe in § 10.2 (a)(9) (renumbered § 10.2 (b)(2)) to ensure timely notification. Seventeen commenters recommended expanding the definition to include a broader spectrum of Indian groups than those recognized by the Bureau of Indian Affairs (BIA). Several commenters identified specific groups they felt should have standing, including: various bands or tribes in California, Washington, and Ohio; Native American organizations such as the American Indian Movement; Native American groups that "would be eligible for recognition by the BIA if they so chose to be"; and "bands recognized by other Federal agencies." Section 12 of the Act makes it clear that Congress based the Act upon the unique relationship between the United States government and Indian tribes. That section goes on to state that the Act should not be construed to establish a precedent with respect to any other individual or organization. The statutory definition of Indian tribe, which specifies that such tribes must be "recognized as eligible for the special programs and services provided by the United States to Indians because of their

status as Indians," precludes extending applicability of the Act to Indian tribes that have been terminated, that are current applicants for recognition, or have only State or local jurisdiction legal status.

As was explained in the preamble of the proposed regulations, the definition of Indian tribe used in the Act was drawn explicitly from an earlier version of the bill (H.R. 5237, 101st Congress, 2nd Sess. sec. 2 (7), (July 10, 1990)) using a specific statutory reference. The final language of the Act is verbatim from the American Indian Self Determination and Education Act (25 U.S.C. 450b). The earlier statute has been carried out since 1976 by the BIA to apply to a specific list of eligible Indian tribes which has been published in the Federal Register.

Four commenters found this interpretation unduly narrow and recommended interpreting the statutory definition to apply to Indian tribes that are recognized as eligible for benefits for the special programs and services provided by "any" agency of the United States to Indians because of their status as Indians. The Review Committee concurred with this recommendation. Based on the above recommendations, the definition of Indian tribe included in the regulations was amended by deleting all text describing the process for obtaining recognition from the BIA. In place of this text, the final regulations include a statement identifying the Secretary as responsible for creating and distributing a list of Indian tribes for the purpose of carrying out the Act. This list is currently available from the Departmental Consulting Archeologist and will be updated periodically.

One commenter recommended deleting the reference to Alaska Native corporations in the definition of Indian tribe. The American Indian Self Determination and Education Act, the source for the definition of Indian tribe in the Act, explicitly applies to Alaska Native corporations and, as such, supports their inclusion under the Act. Alaska Native corporations are generally considered to have standing under these regulations if they are recognized as eligible for a self-determination contract under 25 U.S.C. 450b.

Two commenters recommended deleting the final line of the definition of Indian tribe in which Native Hawaiian organizations are subsumed for purposes of the regulations. The Review Committee concurred with this recommendation. The final sentence has been deleted and the applicability of the regulations to Native Hawaiian organizations has been specified where appropriate throughout the text. The

term Indian tribe official defined in § 10.2 (b)(4) has not been changed, though the drafters wish to stress the term's applicability to the representatives of both Indian tribes and Native Hawaiian organizations.

Two commenters recommended changes to the definition of Native Hawaiian organization in § 10.2 (a)(11) (renumbered § 10.2 (b)(3)). One commenter recommended specifying that such organizations should have a primary and stated purpose of the "preservation of Hawaiian history," and have expertise in Native Hawaiian "cultural" affairs. Two commenters recommended requiring a Native Hawaiian organization verify that more than 50% of its membership is Native Hawaiian. The statutory definition of Native Hawaiian organization in section 2 (11) of the Act precludes expansion of the criteria for identifying Native Hawaiian organizations. An earlier version of the bill (S. 1980, 101st Cong. 2nd sess. section 3 (6)(c), (September 10, 1990)) that eventually became the Act included a provision requiring Native Hawaiian organization to have "a membership of which a majority are Native Hawaiian." This provision was not included in the Act. The legislative history confirms that Congress considered the additional criterion and decided not to include it in the Act.

One commenter recommended rewriting the definition of Native Hawaiian in § 10.2 (a)(10) (renumbered § 10.2 (b)(3)) to include Pacific Islanders. The statutory definition of Native Hawaiian in section 2 (10) of the Act precludes expansion of this definition to include Pacific Islanders who are not descendants of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii.

Three commenters recommended changes to the definition of Indian tribe official in § 10.2 (a)(12) (renumbered § 10.2 (b)(4)). One commenter recommended specifying that Indian tribe official means the tribal chair or officially designated individual. One commenter recommended allowing designation by the governing body of an Indian tribe "or as otherwise provided by tribal code, policy, or procedure." One commenter recommended that the designated person need not be a member of that Indian tribe. The definition of Indian tribe official was amended to identify the principal leader or the individual officially designated or otherwise provided by tribal code, policy or established procedure. This person need not necessarily be a member of the particular Indian tribe.

Subsection 10.2 (c) includes definitions of those persons or organizations that are responsible for carrying out these regulations.

One commenter requested clarification of the role of the Departmental Consulting Archeologist defined in Section 10.2 (a)(3) (renumbered § 10.2 (c)(3)). The Departmental Consulting Archeologist was delegated by the Secretary of the Interior with responsibilities for drafting regulations, providing staff support to the Review Committee, administering grants, and providing technical aid under the Act.

Subsection 10.2 (d) includes definitions of the objects covered by these regulations.

One commenter recommended that the definition of Native American in § 10.2 (a)(8) (renumbered § 10.2 (d)) specifically include Native Hawaiians. The definition already includes Native Hawaiians. To clarify the applicability of the rule, the definition of Native American was rewritten to specifically include tribes, people, or cultures indigenous to the United States, "including Alaska and Hawaii." The drafters point out that "Native American" is used in the Act and in these rules only to refer to particular human remains, funerary objects, sacred objects, or objects of cultural patrimony and not to any living individual or group of individuals.

Thirteen commenters recommended changes to the definition of human remains in § 10.2 (b)(1) (renumbered § 10.2 (d)(1)). One commenter recommended expanding the definition to include all human remains, not just those of Native Americans. The Act is designed specifically to address the disposition or repatriation of Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony and not to cover all human remains. Three commenters recommended excluding disarticulated and unassociated human remains, such as isolated teeth and finger bones, from repatriation. Two commenters recommended amending the definition to include only those human remains "associated with the body at the time of death," to eliminate such things as extracted or lost teeth, cut finger nails, coprolites, blood residues, and tissue samples taken by coroners. One commenter recommended deleting the exemplary clause—"including but not limited to bones, teeth, hair, ashes, or mummified or otherwise soft tissue"—as being overly limiting. The Act makes no distinction between fully-articulated burials and isolated bones and teeth. Additional text has been added

excluding "naturally shed" human remains from consideration under the Act. This exclusion does not include any human remains for which there is evidence of purposeful disposal or deposition. The exemplary clause has been deleted. One commenter requested clarification as to whether the regulations would apply to blood sold or given to a blood bank by an individual of Native American ancestry. The blood bank would not be subject to repatriation having been freely given. One commenter supported considering human remains that had been incorporated into a sacred object or object of cultural patrimony be considered as part of that cultural item for the purpose of determining cultural affiliation. Two commenters recommended excluding human remains incorporated into cultural items from repatriation since, as one said, they were "objectified by their original makers and owners, not the institutions that might house them now." One commenter requested clarification regarding the status of human remains that were not freely given but that have been incorporated into objects that are not cultural items as defined in these regulations. The legislative history is silent on this issue. Determination of the proper disposition of such human remains must necessarily be made on a case-by-case basis. One commenter recommended deleting reference to human remains that have been incorporated into a funerary object, sacred object, or object of cultural patrimony, in that any change in the character of the human remains, including the definition, would only further their dishonor. Three commenters asked for clarification in how to determine whether human remains incorporated into a funerary object, sacred object, or object of cultural patrimony were freely given. The provision regarding determination of the cultural affiliation of human remains that had been incorporated into a funerary object, sacred object, or object of cultural patrimony was recommended by the Review Committee to preclude the destruction of items that might be culturally affiliated with one Indian tribe that incorporate human remains culturally affiliated with another Indian tribe.

Two commenters recommended changing the definition of cultural items in § 10.2 (b)(2). One commenter recommended broadening the definition to include any and all objects deemed to have cultural significance by an Indian tribe. Cultural items are defined in the Act to include human remains,

funerary objects, sacred objects, and objects of cultural patrimony. The term was redefined in the proposed regulations to include funerary objects, sacred objects, and objects of cultural patrimony, and not human remains to address the objections some individuals had expressed over referring to human remains as "cultural items." Two commenters recommended retaining the statutory definition. The term has been changed to read "human remains, funerary object, sacred object, or object of cultural patrimony" throughout the rule to ensure clarity. The definition of "cultural item" has been deleted throughout the text.

One commenter recommended combining the definitions of associated funerary object in § 10.2 (b)(3) and unassociated funerary object in § 10.2 (b)(4) into a single definition of funerary object. The two definitions have been combined in § 10.2 (d)(2).

Ten commenters recommended changes to the definition of associated funerary object in § 10.2 (b)(3) and unassociated funerary object in § 10.2 (b)(4) (combined and renumbered § 10.2 (d)(2)). One commenter recommended rewriting both definitions to make a distinction between objects associated with individual human remains and objects for which a funerary context is suspected, but association with individual human remains is not possible. Another commenter objected to what he considered an overly rigorous standard of proof. The statutory language makes it clear that only those objects that are associated with individual human remains are considered funerary objects. The distinction between associated and unassociated funerary objects is based on whether the individual human remains are in the possession or control of a museum or Federal agency. One commenter recommended deleting the word "intentionally" in § 10.2 (b)(3)(i) and § 10.2 (b)(4) since the term does not occur in the statutory language. The term is included to emphasize the intentional nature of death rites or ceremonies. Items that inadvertently came into proximity or contact with human remains are not considered funerary objects. One commenter questioned whether any objects excavated intentionally or discovered inadvertently on Federal or tribal land after November 16, 1990, would fit these definitions, since it requires the objects be in the possession or control of a Federal agency, and section 3 of the Act seems to preclude Federal ownership of such objects. Possession of funerary objects excavated intentionally or discovered inadvertently on Federal or

tribal land is sufficient to apply the provisions of the statute to such intentional excavations or inadvertent discoveries.

Two commenters recommended deletion of the clause "or near" from § 10.2 (b)(3) (renumbered § 10.2 (d)(2)), indicating that it would require museums to enter into debates about the proximity of objects to human remains. The clause was included to accommodate variations in Native American death rites or ceremonies. Some Indian tribes, particularly those from the northern plains, have ceremonies in which objects are placed near, but not with, the human remains at the time of death or later. The drafters consider these funerary objects.

One commenter recommended clarifying § 10.2 (b)(3)(i) (renumbered § 10.2 (d)(2)(i)) by specifying that funerary objects are "associated" even when another institution has possession or control of the human remains. The drafters consider the statutory definition, which is repeated in the rule, to support this interpretation without any additional modification. One commenter recommended clarifying § 10.2 (a)(3)(ii) [renumbered § 10.2 (d)(2)(i)] by specifying that items made exclusively for burial purposes are considered as associated funerary objects even if there are no associated human remains. Items made exclusively for burial purposes are considered associated funerary objects even if there are no associated human remains. Four commenters recommended deleting the final sentence of the definition of unassociated funerary object in § 10.2 (b)(4) [renumbered § 10.2 (d)(2)], objecting to the requirement that such human remains were removed from a "specific" burial site. Another commenter recommended deleting reference to the "preponderance of the evidence" in the same sentence, because it implies an adversarial context which is inappropriate for the process of identifying unassociated funerary objects. In both of these instances, the text of the regulations reflects exactly the statutory text and has not been modified. The final sentence of this section was drawn from an explanation of the definition in House Report 101-877 (1990: page 2) and is taken to represent Congressional intent. Another commenter recommended deleting "reasonably believed to have been" from § 10.2 (b)(2)(ii). The phrase has been deleted.

One commentator recommended clarifying the definition of unassociated funerary objects in § 10.2 (b)(4) to exempt items exhibited intentionally with individual human remains but

subsequently returned or distributed to living descendants or other individuals. The recommended language has been added to § 10.2 (d)(2)(ii).

Ten commenters recommended changes to the definition of sacred objects in § 10.2 (b)(5) (renumbered § 10.2 (d)(3)). One commenter recommended broadening the definition to include any and all objects deemed to have sacred significance by Indian tribes and not just those objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Another commenter recommended broadening the definition to include specific objects or geological features identified by traditional Native American practitioners as endowed with sacredness due to the object's past role in traditional Native American religious ceremony or on the basis of similar objects having contemporaneous religious significance or function in the continued observance or renewal of a ceremony. The statutory language and legislative history indicate that this definition was written carefully and precisely. Expanding the definition to include the types of items identified above in the comments runs counter to Congressional intent.

Four commenters recommended changes in the definition of traditional religious leader in § 10.2 (a)(13) (renumbered § 10.2 (d)(3)). Two commenters recommended replacing the phrase allowing such leaders to be recognized "by members of that Indian tribe" with "that Indian tribe." The drafters realize that allowing members of an Indian tribe or Native Hawaiian organization to recognize traditional religious leaders may result in conflicting claims. However, such issues are best resolved by the members of the Indian tribe or Native Hawaiian organization themselves. One commenter recommended replacing the word "or" at the end of § 10.2(a)(13)(i) with "and." The two criteria listed are intended as alternative methods for identifying traditional religious leaders and not as cumulative criteria. Another commenter recommended specifying that an individual's leadership role must be based on "traditional" religious practices. The drafters consider whether or not an individual's leadership in a religion is based upon traditional practice an inappropriate concern for Federal regulations.

Two commenters recommended deleting the word "current" from the first line of the definition of sacred object since the term was not included in the statutory text. The term was

deleted. One commenter objected to "use" being the measure to decide whether an object should be repatriated, suggesting instead right of possession as the relevant standard. The necessity of an object for use by present day adherents of a traditional Native American religion is critical in identifying a sacred object, while determination of right of possession is necessary to determine whether the sacred object must be repatriated to the Indian tribe or Native Hawaiian organization or may be retained by the museum or Federal agency.

One commenter recommended deleting the second sentence of the definition of sacred object which he considers to depart in major ways from the statutory definition. The second sentence of the definition was drawn from the Senate Select Committee Report (S.R. 101-473: p. 7) and helps clarify the precise, limited use of this category intended by Congress.

One commenter recommended including clarification in the definition that: 1) sacred objects can not be associated with human remains, as they would then be funerary objects, and 2) only in rare circumstances can prehistoric items be sacred objects. While this usually may be so, blanket exclusion of any funerary object from also being a sacred object is not considered appropriate in that the categories are not mutually exclusive. Similarly, identification of sacred objects from prehistoric contexts must be made on a case-by-case basis.

One commenter agreed with the inclusion of sacred objects that have religious significance or function in the continued observance or renewal of a traditional Native American religious ceremony or ritual. Another commenter recommended deleting reference to "renewal" in the second sentence, stating that the issue was debated during the legislative process and final statutory language does not include reference to renewal of a traditional Native American religious ceremony. Language specifying the inclusion of objects that function in the continued observance or renewal of a traditional Native American religious ceremony as sacred objects was drawn from the Senate Select Committee Report (S.R. 101-473: p. 7) and is thought to reflect Congressional intent.

Three commenters requested clarification as to who is responsible for making the determination that a particular item fits the definition of sacred object. In all cases, the museum or Federal agency official has the initial responsibility for deciding whether an object in its possession or control fits

the definition of sacred object. However, if an Indian tribe or Native Hawaiian organization does not agree with this decision, it has recourse to challenge directly the decision of the museum or Federal agency. The Indian tribe or Native Hawaiian organization may seek the involvement of the Review Committee if it is unsuccessful in its direct appeal to the museum or Federal agency.

Six commenters recommended changes to the definition of objects of cultural patrimony in § 10.2 (b)(6) (renumbered § 10.2 (d)(4)) One commenter recommended deleting the word "cultural" from the term "cultural items" in the first sentence, in that the current phrasing is circular. The word has been deleted. One commenter cautioned that the definition does not recognize that internal disagreements may occur within an Indian tribe or Native Hawaiian organization about the importance of an object of cultural patrimony. Another commenter recommended broadening the definition to include those objects of ongoing historical, traditional, or cultural importance central to any sub-group of an Indian tribe, such as a band, clan, lineage, ceremonial society, or other subdivisions. Claims for human remains, funerary objects, sacred objects, or objects of cultural patrimony by such sub-groups must be made through an Indian tribe or Native Hawaiian organization.

One commenter requested clarification of the example of the Zuni War Gods that appear to be both objects of cultural patrimony and sacred objects. An object can fit both categories depending upon the nature of the traditional religion and the system of property rights used by a particular Indian tribe or Native Hawaiian organization. Zuni War Gods present such a case. In other cases, sacred objects may have been owned privately and, thus, are not considered objects of cultural patrimony. One commenter requested clarification as to who is responsible for making the determination that a particular item fits the definition of object of cultural patrimony. In all cases, the museum or Federal agency official has the initial responsibility for deciding whether an object in its possession or control fits the definition of object of cultural patrimony. However, if an Indian tribe or Native Hawaiian organization does not agree with this decision, it has recourse to challenge directly the decision with the museum or Federal agency.

Section 10.2 (e) includes the definition of cultural affiliation. One

commenter recommended deleting reference to Native Hawaiian organizations as they are included under the definition of Indian tribe in § 10.2 (b)(2). The text has been changed to read "Indian tribe or Native Hawaiian organization" throughout the regulations. One commenter requested inclusion of a short characterization of the threshold criteria applicable to determining cultural affiliation. A second sentence clarifying this threshold has been added to the definition. Three commenters requested additional clarification of the definition of cultural affiliation. Procedures for determining cultural affiliation are included in § 10.14 (c).

Section 10.2 (f) includes definitions of the types of lands that the excavation and discovery provisions of these regulations apply.

Six commenters asked for clarification regarding the applicability of statutory provisions for intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony to private lands. Unlike provisions of the National Historic Preservation Act (NHPA) that are applicable to Federal undertakings regardless of who owns the land on which the project is being conducted, the intentional excavation and inadvertent discovery provisions of these regulations apply only to Federal and tribal lands.

Five commenters recommended changes to the definition of Federal lands in § 10.2 (d)(1) (renumbered § 10.2 (f)(1)). One commenter recommended deleting the definition of "control" as it will require Federal bureaucrats to make complicated legal determinations as to what is "a sufficient legal interest to permit it to apply these regulations without abrogating the rights of a person." Another commenter recognized the need for a definition of Federal "control," but suggested that the present definition fails to clarify the issue. Another commenter requested clarification whether Federal control, and thus the intentional excavation and inadvertent discovery provisions of these regulations, extends to the Wetlands Reserve Program or to the Forest Legacy Program. One commenter requested clarification of the applicability of Federal control to real property instruments such as easements, rights-of-way, and rights-of-entry for performance of specific activities. One commenter requested clarification of the applicability of Federal control to private lands through issuance of a Federal permit, license, or funding. One commenter recommended including the existence of a long term lease by a

Federal agency or an interest under which the land owner has authorized the United States to undertake intentional excavation or other land disturbance as under Federal control. As indicated above, the intentional excavation and inadvertent discovery provisions of the Act apply only to Federal and tribal lands. Whether Federal control of programs such as those mentioned above is sufficient to apply these regulations to the lands covered by the program depends on the circumstances of the Federal agency authority and on the nature of state and local jurisdiction. Such determinations must necessarily be made on a case-by-case basis. Generally, however, a Federal agency will only have sufficient legal interest to "control" lands it does not own when it has some other form of property interest in the land such as a lease or easement. The fact that a Federal permit is required to undertake and activity on non-Federal land generally is not sufficient legal interest in and of itself to "control" the land within the meaning of these regulations and the Act. In situations when two or more Federal agencies share regulatory or management jurisdiction over Federal land, the Federal agency with primary management authority will generally have control for purposes of implementing the Act.

Nineteen commenters recommended changes to the definition of tribal lands in § 10.2 (c)(2) (renumbered § 10.2 (f)(2)). One commenter recommended broadening the exclusion of privately owned lands within the exterior boundaries of an Indian reservation to encompass state and Federal land holdings. Thirteen commenters objected to the exclusion of privately owned lands within the exterior boundaries of an Indian reservation and recommended returning to the statutory language. The proposed exclusion was intended to rectify a contradiction between the statutory definition of tribal lands in section 2 (15) of the Act and the guarantee in section 2 (13) of the Act that no taking of property without compensation within the meaning of the Fifth Amendment of the United States Constitution is intended. The drafters concur with the majority of commenters that the blanket exclusion of private lands within the exterior boundaries of an Indian reservation from the intentional excavation and inadvertent discovery provisions of the regulations is overly broad. The exclusion was deleted and a new subsection added at § 10.2 (f)(2)(iv) stating that the regulations will not apply to tribal lands to the extent that any particular action

authorized or required will result in a taking of property without just compensation within the meaning of the Fifth Amendment to the United States Constitution.

Three commenters recommended broadening the definition of tribal lands to apply to allotments held in trust for Indian tribes or individuals, regardless of whether the allotments are inside or outside the boundaries of an Indian reservation. This suggestion is inconsistent with the Act's definition of tribal lands. One commenter stated that the reference to 18 U.S.C. 1151 in § 10.2 (d)(2)(ii) (renumbered § 10.2 (f)(2)(ii)) does not clarify the nature of dependent Indian community. Dependent Indian communities, as defined in 18 U.S.C. 1151 (b), include those Indian communities under Federal protection that were neither "reserved" formally, nor designated specifically as a reservation. Cohen, in *The Field of Indian Law* (1982:38) concludes that "it is apparent that Indian reservations and dependent Indian communities are not two distinct definitions of place but rather definitions which largely overlap. All Indian reservations are also dependent Indian communities unless they are uninhabited." In addition to Indian reservations, dependent Indian communities also include patented parcels of land and rights-of-way within residential Indian communities under Federal protection. One commenter recommend joining § 10.2 (d)(2)(i), (ii), and (iii) (renumbered § 10.2 (f)(2)(i), (ii), and (iii)) with "or" at the end of the first two lines. This change has been made.

Nine commenters recommended changes to the definition of aboriginal lands in § 10.2 (c)(3). Four commenters challenged use of Indian Claims Commission judgements to determine aboriginal territories. One commenter recommended using Native American origin stories and anthropological evidence instead. A second commenter recommended that the limits of aboriginal territory must come directly from the Indian tribe itself. A third commenter recommended expanding the definition to include all ceded lands and all lands traditionally used by an Indian tribe, regardless of whether there may have been overlapping usage by neighboring Indian tribes. The Indian Claims Commission was established in 1949 specifically to adjudicate tribal land claims against the United States. Over 200 cases were settled between 1949 and 1978 when the Commission was terminated. Since 1978, Indian land claims have been adjudicated by the United States Court of Claims. The Commission and the Court have considered a wide range of information,

including oral history and anthropological evidence, in reaching their decisions. Section 3 (a)(1)(C) of the Act specifically gives Indian tribes the right to claim human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal land that is recognized by a final judgement of the Indian Claims Commission or United States Court of Claims as part of their aboriginal land. The drafters consider the final judgements of the Indian Claims Commission a valuable tool for identifying area occupied aboriginally by a present-day Indian tribe. Other sources of information regarding aboriginal occupation should also be consulted. The definition has been deleted from the rule.

One commenter questioned whether provisions of the Act regarding intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony apply to all aboriginal lands, or just to that portion of an Indian tribe's aboriginal territory that is now in Federal ownership or control. These regulations apply to claims for human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands. One commenter requested reference information for final judgements of the Court of Claims. One commenter stated that the map of aboriginal lands included with the final report of the Indian Claims Commission is out of print, out of date, and difficult to use as neither counties nor detailed geographic indicators are provided. The United States Geological Survey has recently republished the 1978 map. Efforts are underway to update the map to include land claims settled since 1978. One commenter inquired about the status of Indian tribes that have filed a land claim for a particular area, but for which a court judgement or ruling from the court has been made. An Indian tribe's status to make a claim under the Act based upon aboriginal occupation of an area is recognized when a favorable court judgement or ruling has been made. However, this situation will only affect the disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal land where no lineal descendants or culturally affiliated Indian tribe has made a claim.

Subsection 10.2 (g) includes definitions of procedures required to carry out these regulations. Two

commenters asked for clarification of the difference between the items included on the summary in § 10.2 (e)(1) (renumbered § 10.2 (g)(1)) and the items on the inventory in § 10.2 (e)(2) (renumbered § 10.2 (g)(2)). Summaries are written general descriptions of collections or portions of collections that may contain unassociated funerary objects, sacred objects, and objects of cultural patrimony. Inventories are item-by-item descriptions of human remains and associated funerary objects. The distinction between the documents reflects not only their subject matter, but also their detail (brief overview vs. item-by-item list), and place within the process. Summaries represent an initial exchange of information prior to consultation while inventories are documents completed in consultation with Indian tribe officials and representing a decision by the museum official or Federal agency official about the cultural affiliation of human remains and associated funerary objects.

One commenter recommended including a definition of "repatriation" in the regulations. The rules of statutory construction require interpreting undefined terms according to their common meaning. Repatriation means the return of someone or something to its nation of origin.

One commenter recommended inclusion of a definition for "appropriate care and treatment" of human remains, funerary objects, sacred objects, or objects of cultural patrimony. The appropriateness of particular types of care and treatment will necessarily depend on the nature of the particular human remains, funerary objects, sacred objects, or objects of cultural patrimony under consideration and the concerns of any lineal descendants or affiliated Indian tribes or Native Hawaiian organizations.

Three commenters recommended changes to the definition of intentional excavation in 10.2 (e)(3) (renumbered § 10.2 (g)(3)). One commenter recommended deleting the word "planned" from the definition to embrace all kinds of archeological removal, whether planned or occasioned by an encounter with human remains, funerary objects, sacred objects, or objects of cultural patrimony during construction or land use. One commenter recommended expanding the definition to include intentional excavations on private lands. One commenter recommended replacing the definition with "means intentional removal for the purposes of discovery, study, or removal of such items" from section 3 (c) of the statute. These

changes are unnecessary or inappropriate and were not made.

Two commenters recommended changes to the definition of inadvertent discovery in 10.2 (e)(4) (renumbered § 10.2 (g)(4)). One commenter recommended replacing "inadvertent" with "accidental, unintended, unpredictable, or unexpected in spite of all precaution," to avoid any presumption that such discoveries were made without forethought or through negligence. Another commenter recommended expanding the definition to include inadvertent discoveries on private lands. These changes are unnecessary or not appropriate and were not made.

### Section 10.3

This section carries out section 3 (c) of the Act regarding the custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are excavated intentionally from Federal or tribal lands after November 16, 1990. One commenter recommended stating explicitly that the section applies only to Native American human remains and not to non-Native American human remains such as mountain men or early settler burials. The language has not been changed as all provisions of these regulations apply only to Native American human remains, funerary objects, sacred objects or objects of cultural patrimony. One commenter requested reviewing use of the term "intentional excavation" throughout the section to ensure consistency with the statutory language. Section 3 (c) of the Act applies to the "intentional removal from or excavation of Native American [human remains and] cultural items from Federal or tribal lands for the purposes of discovery, study, or removal." This definition includes scientific archeological excavations for independent research, public interpretation, or as part of planned removal of human remains during land-disturbing activities such as construction projects.

One commenter recommended the regulations focus on "more protection of archeological sites ... for research by the scientific community." The Act certainly has as one goal improved protection of *in situ* archeological sites. However, this protection is afforded not simply to allow for more scientific study. Rather, the intent is to preserve and protect Native American graves, allowing for their scientific examination only as necessary and appropriate.

Two commenters requested clarification of the clause "if otherwise required" regarding the necessity for

obtaining a permit issued pursuant to the Archeological Resources Protection Act (ARPA) in § 10.3 (b)(1). The clause has been deleted. The Review Committee recommended additional clarification in § 10.3 (b)(1) regarding issuance of ARPA permits on private holdings within the exterior boundaries of Indian reservations and on lands administered for the benefit of Native Hawaiians pursuant to the Hawaiian Homes Commission Act. Language regarding issuance of permits on these lands has been included.

One commenter recommended requiring the consent of culturally affiliated Indian tribes and Native Hawaiian organizations for intentional excavations on both Federal and tribal lands. Another commenter recommended requiring the consent of traditional religious leaders for intentional excavations on both Federal and tribal lands. These changes have not been made. Section 3 (c)(2) of the Act authorizes excavation or removal of human remains, funerary objects, sacred objects, or objects of cultural patrimony only after consultation with or, in the case of tribal lands, consent of the appropriate Indian tribe or Native Hawaiian organization. One commenter recommended that § 10.3 (b)(4) not be "the only requisite for intentional excavation." The requirements of § 10.3 (b)(1) through (4) must all be met before conducting an intentional excavation.

One commenter recommended changing the title of § 10.3 (c) from "Procedures" to "Disturbances during authorized land use." The procedures outlined in this subsection apply to intentional removal or excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal or tribal land and not disturbance during authorized land use, which is dealt with under § 10.4 regarding inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal or tribal lands. One commenter suggested that § 10.3 (c)(1) confuses the issue of who — "any person" or the Federal official — is responsible for complying with the provisions of the regulations regarding intentional excavations, and recommended deleting the section. Two commenters requested clarification of an "activity" as referred to in the first sentence of § 10.3 (c)(1). The subsection has been deleted and subsequent subsections renumbered.

One commenter requested clearly defining "responsible Federal agency." The Federal agency with the responsibility for issuing approvals or permits on actions within their

designated Federal lands is the responsible Federal agency under the Act. In situations when two or more Federal agencies share regulatory or management jurisdiction of Federal land, the Federal agency with primary management authority will have control for purposes of carrying out these regulations unless otherwise agreed.

One commenter recommended requiring any person who proposes to undertake an activity on Federal or tribal lands that may result in the intentional excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony to notify all affected parties, including culturally affiliated Indian tribes and Native Hawaiian organizations. The Federal agency official — and not a person proposing to undertake an activity on Federal lands — is responsible for the management of lands under his or her control and is the appropriate person to notify Indian tribes and Native Hawaiian organizations of intentional excavations. The Federal agency official, once notified by a person of such an activity, is required to take reasonable steps to determine whether the planned activity may result in the intentional excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Prior to issuing any approvals or permits, the Federal agency official must notify in writing the Indian tribe or Native Hawaiian organizations that are likely to be affiliated with any excavated items. A person proposing to undertake an activity on tribal lands should contact the appropriate tribal official directly.

One commenter recommended requiring the Federal official identified in the first sentence of § 10.3 (c)(2) (renumbered § 10.3 (c)(1)) to meet the Secretary's standards for persons conducting ethnohistoric research. There currently are no Secretary's standards for ethnohistoric research. Each agency is responsible for ensuring that their employees are qualified to conduct the work required of them. One commenter recommended clarifying the "reasonable steps" required of Federal officials to explicitly include completion of Stage I surveys for of all planned ground-disturbing activities as required under section 106 of the NHPA. The type of steps taken by a Federal agency official are expected of vary from case-to-case and have not been specified in these regulations.

One commenter recommended requiring Federal officials to take reasonable steps regarding planned activities "or Federal actions." The recommended language has not been



added as it might be interpreted to refer to Federal actions on non-Federal lands. Provisions of the Act regarding intentional excavations and inadvertent discoveries apply only to activities occurring on Federal and tribal lands.

One commenter questioned whether the responsible Federal agency official need be notified regarding planned activities for which there is no indication that disturbance of human remains, funerary objects, sacred objects, or objects of cultural patrimony is likely. These regulations do not require notification of the responsible Federal agency official regarding planned activities for which intentional excavation or removal of human remains, funerary objects, sacred objects, or objects of cultural patrimony is not anticipated. Human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently during such an activity would require cessation of activity for thirty (30) days while the Federal official consults with affiliated Indian tribes and Native Hawaiian organizations.

One commenter questioned whether the phrase "otherwise required by law" in the second sentence of § 10.3 (c)(2) (renumbered § 10.3 (c)(1)) referred to "approvals or permits" or to "activities." The sentence has been rewritten as "required approvals or permits for activities." One commenter recommended including language requiring Federal agency officials to notify both Indian tribe officials and traditional religious leaders and obtaining that written approval from the traditional leaders prior to issuance of required approvals or permits. The Act requires Federal agency officials to consult with Indian tribes and Native Hawaiian organizations regarding the disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands. Consultation with traditional religious leaders is required regarding the identification of cultural items in museum or Federal agency collections. The consent of traditional religious leaders prior to the issuance of approvals or permits is not required by the Act. One commenter recommended inclusion of provisions requiring a minimum of at least ten days advance warning of any proposed meeting in the Federal agency official's notification to culturally affiliated Indian tribes or Native Hawaiian organizations. The recommended requirement could needlessly delay consultation between Federal and tribal officials. Federal

officials should include adequate advance notice of upcoming meetings, but the necessary time will vary according to the situation and existing relationship between the Federal agency and the Indian tribes or Native Hawaiian organizations. The text has not been changed.

One commenter questioned the necessity of distinguishing in the third sentence of § 10.3 (c)(2) (renumbered § 10.3 (c)(1)) between culturally affiliated Indian tribes and those Indian tribes that aboriginally occupied an area. The priority order for evaluating claims of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands, provided in Section 3 of Act, includes Indian tribes that are recognized as aboriginally occupying the area in which the objects were identified. The regulatory language ensures that those Indian tribes that aboriginally occupied an area are notified of planned activities that may result in the intentional excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Another commenter recommended including state-recognized intertribal councils in the notification process. Section 12 of the Act makes clear the special relationship between the Federal government and Indian tribes. Federal officials are thus directed to consult directly with Indian tribes. Indian tribes may however, delegate their consultation responsibilities to other organizations, including state inter-tribal councils. One commenter recommended following written notification by telephone contact if there is no response in 15 days. Language to that effect has been inserted as the second to last line of the section. One commenter recommended that, after consultation, Federal officials are required to complete a written plan of action as described in § 10.5 (e) and to execute the actions called for in the plan of action. The recommended text has been inserted as § 10.3 (c)(2) and all subsequent subsections renumbered.

Two commenters objected to § 10.3 (c)(3) on the grounds that by exhorting Federal agencies to coordinate activities required by these regulations with the compliance procedures for section 106 of the NHPA, the regulations give the impression that human remains, funerary objects, sacred objects, or objects of cultural patrimony would be eligible for the National Register of Historic Places. Four other commenters recommended the subsection either be left as is, or edited to require such coordination to ensure consistency

between and among Federal agencies. One commenter recommended excluding such "secondary agencies as the State Historic Preservation Officers" from the consultation process. The subsection is intended to remind Federal agencies of similarities between the two consultation processes while providing the necessary latitude for designing effective and situation-specific procedures. The text has not been changed.

Two commenters objected to identification in § 10.3 (c)(4) of the Indian tribe as being responsible for compliance with provisions of the Act regarding intentional excavations on their lands. Section 3 (a)(2)(A) of the Act makes it clear that Indian tribes have preference regarding custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on their tribal lands second only to lineal descendants. The regulatory text is consistent with Federal recognition of an Indian tribe's sovereignty regarding administration of their lands and has not been changed. Another commenter requested clarification of whether the intentional excavation provisions apply to lands exchanged by Indian tribes. In general, the provisions regarding intentional excavations and inadvertent discoveries apply to Federal lands and those lands currently held in trust by the United States for an Indian tribe. Lands outside the exterior boundary of an Indian reservation that are held in trust by the United States for an Indian tribe do not meet the statutory definition of tribal lands. These lands are under Federal control, and the provisions for intentional excavation and inadvertent discovery on Federal lands apply. The provisions of these regulations do not apply to lands owned by an Indian tribe that have not been accepted into trust by the United States. Another commenter requested clarification regarding which Federal agency would have primary responsibility for compliance with the intentional excavation and inadvertent discovery provisions of these regulations for proposed or existing coal mining operations on tribal lands. Any person who proposes to undertake an activity on tribal lands that may result in the intentional excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony must immediately notify in writing the responsible Indian tribe official. The tribal official then decides what, if any, steps to take. One commenter recommended including a deadline for Indian tribe response to notification of

an activity planned for tribal lands. A deadline for Indian tribal response regarding proposed intentional excavations on tribal land is not considered appropriate as section 3 (c)(2) of the Act makes it clear that any intentional excavation or removal of human remains, funerary objects, sacred objects, or objects of cultural patrimony on tribal land requires the consent of the appropriate Indian tribe or Native Hawaiian organization. Another commenter recommended clarifying that the Indian tribe should take appropriate steps to make certain that the "treatment and disposition" of human remains, funerary objects, sacred objects, or objects of cultural patrimony be carried out. The recommended language has been included.

#### Section 10.4

This section carries out section 3 (d) of the Act regarding the custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are discovered inadvertently on Federal or tribal lands after November 16, 1990. One commenter requested replacement of the word "inadvertent" in the section title with "unintended." Section 3 (d) of the Act addresses the inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony as part of approved work projects as well as other, unintentional discoveries on Federal or tribal lands. The statutory term covers both meanings adequately and has been retained in the title and throughout the text.

One commenter felt the entire section needed to be more specific. One commenter recommended editing the general statement in § 10.4 (a) to state explicitly that the provisions apply only to "Native American" human remains, funerary objects, sacred objects, or objects of cultural patrimony. The definition of human remains, funerary objects, sacred objects, or objects of cultural patrimony in § 10.2 (d) make it clear that these regulations only apply to Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony.

One commenter requested clarification in the regulations regarding treatment of disarticulated and unassociated human remains. Section 10.4 of the Act covers the treatment and disposition of such human remains under "Inadvertent Discoveries."

Two commenters recommended revising the first sentence of § 10.4 (b) to require the person making an inadvertent discovery, and not just anyone that knows of an inadvertent discovery, to notify the responsible

Federal official. The phrase has been revised to more closely reflect the statutory language. Another commenter recommended that the notification of the responsible Federal official be immediate, via telephone or fax, to ensure that the activity is ceased as soon as possible. The text has been modified to require immediate telephone notification of the inadvertent discovery with written confirmation following. One commenter recommended inclusion of language in this subsection restating that determination of lineal descent or cultural affiliation usually require physical anthropological study, laboratory analysis, radiocarbon dating, and other study to make a legally defensible statement. The criteria for determining lineal descent and cultural affiliation, which may include these kinds of examinations, are contained in § 10.14, and apply throughout these regulations; they have not been repeated in this section. Another commenter recommended requiring professional investigation sufficient to complete an accurate identification of the nature of the inadvertent discovery prior to notifying the responsible Federal agency official or Indian tribe official to ensure that the procedures are not carried out unnecessarily. The drafters consider requiring the complete professional identification of inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony prior to notification of the responsible Federal or Indian tribe officials inconsistent with the statutory language and the legislative history. One commenter requested clarification of the responsibilities of the person making an inadvertent discovery for notifying other agencies, such as the local police, coroner, and the State Historic Preservation Officer. Requirements for notification of local or state officials vary by jurisdiction and have not been addressed in this rule. Subsection 10.4 (f) of these regulations suggests Federal land managers coordinate their responsibilities under this section with their emergency discovery responsibilities under section 106 of the NHPA which includes notification of the State Historic Preservation Officer. One commenter recommended modifying the text to require Federal agency employees working on tribal lands to immediately notify their supervisor, who in turn will notify the Indian tribe official. Section 3 (d)(1) of the Act requires notification of Indian tribe officials regarding inadvertent discoveries on tribal lands. Federal agency officials conducting activities on tribal lands should ensure

that their employees are familiar with the notification procedures of these regulations. One commenter recommended expanding this subsection to include provisions to ensure that a Federal agency documents and acts on reported inadvertent discoveries. Federal agency officials are required to comply with the provisions of these regulations.

One commenter recommended applying the cessation of activity following inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal or tribal lands in § 10.4 (c) only to burials in areas that will not be disturbed and in emergency discovery situations. This suggestion runs counter to the statutory requirements and the regulatory language has not been changed. Two commenters requested clarification of the phrases "in the area of the discovery" and a "reasonable effort" regarding protection of human remains, funerary objects, sacred objects, or objects of cultural patrimony following inadvertent discovery. The terms have not been precisely defined in recognition of the variability of site locations and types. In general, the terms are interpreted in a fashion that adequately protects the human remains, funerary objects, sacred objects, or objects of cultural patrimony from additional damage.

One commenter recommended editing and renumbering § 10.4 (a), (e), and (f) to more accurately reflect the distinctions between procedures on Federal lands and those for tribal lands. The text of § 10.4 (d) has been renumbered § 10.4 (d)(1) and § 10.4 (e) has been renumbered as § 10.4 (d)(2).

Two commenters recommended including additional text in § 10.4 (d)(1) (renumbered section 10.4 (d)(1)(i)) directing Federal agencies to establish a process for certifying the receipt of inadvertent discovery notifications and training personnel responsible for such certifications by a specific date. Certification procedures for the receipt of notifications — such as those resulting from inadvertent discoveries — are already in place with all land management Federal agencies and need only be modified to the specifics of these regulations. One commenter recommended including additional examples of steps to secure and protect inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony — such as fencing, 24-hour surveillance in populated areas — in § 10.4 (d)(2) (renumbered section 10.4 (d)(1)(i)). Specific steps to secure and protect inadvertently discovered human

remains, funerary objects, sacred objects, or objects of cultural patrimony will vary from site-to-site and have not been specified in this rule.

Seven commenters recommended extending the one (1) day deadline for notification of affiliated Indian tribes by Federal agency officials in § 10.4 (d)(3), with suggestions ranging anywhere from three to ten days. The one (1) day deadline was designed to ensure that Federal agency officials and Indian tribe officials maximize the amount of time available for consultation regarding the treatment and disposition of inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony. The Act requires that the thirty (30)-day cessation of the activity begins with the Federal agency official certifying receipt of notification from the inadvertent discoverer of the human remains, funerary objects, sacred objects, or objects of cultural patrimony. As a result, any additional time provided the Federal agency official to contact the appropriate Indian tribe official is time taken away from the consultation process. In recognition of the inherent notification difficulties, the drafters have modified the initial notification requirements to require the person making the inadvertent discovery to provide immediate telephone notification with written confirmation to the Federal official. Certification of the notification by the Federal official and the required notification of the Indian tribe official occurs upon receipt of the written confirmation, thus providing the Federal agency official with some additional time between the telephone call and receipt of the written notice to identify the appropriate Indian tribe officials. The one (1) day notification deadline has been extended to three (3) working days. One commenter requested clarification for the phrase "Indian tribe or tribes known or likely to be affiliated." It should be noted that this initial contact is designed to notify those Indian tribes or Native Hawaiian organizations that are "likely" to be affiliated with the inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony. Federal agencies are encouraged to compile a listing of the appropriate Indian tribes or Native Hawaiian organizations and their officials as soon as possible to facilitate rapid notification when an inadvertent discovery is made. Determination of the specific affiliation of the inadvertently discovered human remains, funerary objects, sacred objects, or objects of

cultural patrimony can be made during the thirty (30) day cessation of activity. Two commenters requested clarification of the phrase "if known" in § 10.4 (d)(3) (renumbered § 10.4 (d)(1)(iii)) regarding the required notification of Indian tribes which aboriginally occupied the area in which human remains, funerary objects, sacred objects, or objects of cultural patrimony have been discovered inadvertently. Information regarding the aboriginal lands of Indian tribes is readily available to Federal agency officials from the results of Indian Land Claims Commission and Court of Claims decisions. "If known" has been deleted.

One commenter recommended suspending the initiation of consultation required in § 10.4 (d)(4) (renumbered § 10.4(d)(1)(ii)) for up to thirty (30) days in cases of illegal excavation or violation of Federal law, specifically in cases where confidential criminal investigation are being conducted. As the likely custodians of illegally excavated human remains, funerary objects, sacred objects, or objects of cultural patrimony pursuant to section 3 of the Act, the appropriate Indian tribe or Native Hawaiian organization should be notified of the inadvertently discovery and consulted as part of any ongoing investigation. The responsibility to pursue ARPA investigations does not devolve from the land manager's law enforcement agency merely because consultation is required under this Act. If an ARPA investigation is under way, the law enforcement agents involved should immediately notify their superiors and other Federal agency officials involved in NAGPRA consultation if any aspect of NAGPRA consultation is likely to interfere with the investigation.

Six commenters recommended changing the length of the required cessation of activities in § 10.4 (e) (renumbered § 10.4 (d)(2)). Four commenters recommended reducing the period — to fifteen (15) days, seven (7) days, or deleted entirely — while two commenters recommended extending the period until the affiliated Indian tribe or Native Hawaiian organization consents to continuation of the project. The thirty (30) day period for cessation of activities in the area of an inadvertent discovery is stipulated in section 5 (d) of the Act and has not been changed. Three commenters requested clarification of the stipulation that activity may resume after thirty (30) days, "if the resumption of the activity is otherwise lawful." The phrase is used to acknowledge that provisions of other statutes, such as section 106 of the NHPA, may also apply to a particular inadvertent discovery and the

resumption of activities in the area of the inadvertent discovery must comply with other legal requirements as well as those of these regulations.

Four commenters requested clarification of the procedures following the thirty (30)-day cessation of activity. After consulting with the affiliated Indian tribe or Native Hawaiian organization during the thirty day (30) cessation of activity, the Federal agency official must make a decision regarding the treatment, excavation, and disposition of any inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony. The options may include preservation *in situ* or excavation of the human remains, funerary objects, sacred objects, or objects of cultural patrimony. This decision must be informed by the consultation process, but obviously will take into account other considerations as well. One commenter requested clarification regarding the responsibility for costs incurred during the required work cessation. Responsibility for costs incurred during the required work cessation will depend upon the nature of the contract drawn between the Federal agency and the appropriate contractor. One commenter recommended additional language indicating that resumption of an activity in the area of inadvertent discovery can occur only after the human remains, funerary objects, sacred objects, or objects of cultural patrimony have been removed or treated. Determining the disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently on Federal and tribe land can only occur after consultation with affiliated Indian tribes and Native Hawaiian organizations. The drafters consider it premature to stipulate the outcomes.

One commenter recommended accompanying the written, binding agreement between the Federal agency and the affiliated Indian tribes or Native Hawaiian organizations in the second sentence of § 10.4 (e) (renumbered 10.4 (d)(2)) by a letter from the appropriate Indian tribe official expressing agreement with a proposed course of action. The nature of agreements between Federal agencies and Indian tribes and Native Hawaiian organizations will depend upon the specific situation and have not been defined precisely in these regulations. Four commenters recommended clarifying the phrase "necessary parties." The phrase has been replaced with "Federal agency and the affiliated Indian tribes or Native Hawaiian

organizations." One commenter inquired whether a memorandum of agreement signed and executed under the NHPA prior to any inadvertent discovery would take priority standing. Such an agreement might apply if the agreement specifies the plan for the removal, treatment, and disposition of the human remains, funerary objects, sacred objects, or objects of cultural patrimony; the agreement is considered binding by both the Federal agency and the affiliated Indian tribes or Native Hawaiian organizations; and, the agreement is consistent with the requirements of the Act and these regulations.

One commenter identified § 10.4 (f) (renumbered section 10.4 (e)) as an "absurd attempt to fob off the Federal agency's responsibilities onto the tribes." Requiring a Federal agency to act as intermediary between the person inadvertently discovering human remains, funerary objects, sacred objects, or objects of cultural patrimony and the Indian tribe on whose land the human remains, funerary objects, sacred objects, or objects of cultural patrimony have been discovered inadvertently is counter to the goal of the statute, as expressed in the legislative history, of facilitating direct dialogue. One commenter recommended inclusion in this subsection of a listing of those actions required of Indian tribe officials under the Act. The subsection has been amended to include the recommended text. One commenter recommended inclusion of a specified deadline for an Indian tribe to respond following notification of the inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony. The drafters consider it inappropriate to impose a deadline for Indian tribe response following notification. One commenter recommended inclusion of a section regarding the resumption of activity on tribal lands. The recommended section has been included as § 10.4 (e)(2).

One commenter identified § 10.4 (g) (renumbered § 10.4 (f)) as serving only to confuse requirements and procedures stemming from distinct laws with distinct purposes and recommended deleting the subsection. Other commenters identified § 10.4 (g) as being most welcome, but recommended omitting the specific regulatory citations in light of current efforts to amend regulations for the NHPA. The citations have been retained to facilitate cross-referencing. One commenter recommended clarifying the subsection to indicate that the inadvertent discovery of human remains, funerary objects, sacred objects, or objects of

cultural patrimony does not necessarily require an agreement under section 106 of the NHPA. Not all human remains, funerary objects, sacred objects, or objects of cultural patrimony are deemed eligible for the National Register of Historic Places and thus do not fall within the purview of the NHPA. Their inadvertent discovery would thus not require such an agreement. Two commenters recommended including specific language to outline the relationship between provisions of the Act and those of ARPA, NHPA, and the American Indian Religious Freedom Act (AIRFA). The details of how Federal agencies coordinate their responsibilities under the various statutes will depend on their procedures and specific situations; the text has not been modified. However, section 110 (a)(2)(E)(iii) of the NHPA requires Federal agencies to provide for the disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in a manner consistent with the Act. Further, section 112 (b)(3) and (b)(4) require the Secretary of the Interior to publish guidelines to encourage private owners as well as Federal, state, and tribal governments to protect Native American human remains, funerary objects, sacred objects, and object of cultural patrimony.

One commenter recommended including language at § 10.4 (g) requiring all authorizations to carry out land use activities on Federal lands or tribal lands, including all leases and permits, to include a requirement for the holder of the authorization to notify the appropriate Federal or tribal official immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony. The language is included in the text.

#### *Section 10.5*

This section establishes requirements for consultation as part of the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal lands. One commenter objected to the implication in the first sentence of the section that consultation is necessarily "part of" the intentional excavation or inadvertent discovery process. The Act requires consultation as part of intentional excavation and inadvertent discovery situations. The language has been retained. One commenter recommended replacing the phrase "Federal lands" with "land in the United States, its territories, or possessions." Provisions of section 3 of

the Act are clearly limited to Federal and tribal lands. The language has been retained. One commenter recommended that "a minimum set of standards be identified for the scientific study of human remains and associated grave goods." Section 5 (a)(2) of the Act precludes using the Act as an authorization for the initiation of new scientific studies of human remains and associated funerary objects. The recommended language has not been included.

Two commenters recommended revising the first sentence of § 10.5 (a) to coordinate contact with traditional religious leaders through the appropriate Indian tribe. The most appropriate method for contacting traditional religious leaders will vary between Indian tribes. The language has been retained to provide this necessary flexibility. Another commenter recommended clarifying that consultation must be conducted without regard to state boundaries. The widespread relocation of Indian tribes during the eighteenth and nineteenth centuries means that consultation may often require contact with Indian tribes that are no long resident in the area of the intentional excavation or inadvertent discovery. Lineal descendants and affiliated Indian tribes and Native Hawaiian organizations must be contacted and consulted with regardless of where they are living presently.

One commenter recommended inserting "the" before "human remains" in § 10.5 (a)(1) to make it clear that the consulting parties may vary from case-to-case. The text has been changed. One commenter recommended changing the "and" between § 10.5 (a)(1) and (a)(2) to "or." The original text has been retained to emphasize the necessity of consulting with Indian tribes that are or are likely to be culturally affiliated with the human remains, funerary objects, sacred objects, or objects of cultural patrimony as well as the Indian tribe on whose aboriginal lands the human remains, funerary objects, sacred objects, or objects of cultural patrimony have been located or are expected to be found and the Indian tribe or Native Hawaiian organization have a demonstrated cultural relationship with the human remains, funerary objects, sacred objects, or objects of cultural patrimony. One commenter recommended deleting § 10.5 (a)(2) in that it assumes a relationship between prehistoric archeological sites and historic use of an area. Section 3 of the Act makes it clear that Indian tribes on whose aboriginal lands human remains, funerary objects, sacred objects, or objects of cultural

patrimony have been or are likely to be located need not be culturally affiliated with those human remains, funerary objects, sacred objects, or objects of cultural patrimony to be considered their legitimate custodian. One commenter recommended substituting "excavation" for "activity" in § 10.5 (a)(2). The term "activity" in this sentence refers to "an activity on Federal or tribal lands that may result in the excavation of human remains or cultural items" as defined in § 10.3 (c). The text has been modified to incorporate this clarification.

One commenter recommended deleting "likely" cultural affiliation in the first sentence of § 10.5 (b) since the term is not defined in either the Act or these regulations. The term has been deleted. One commenter recommended replacing the term "objects" in the same sentence with "human remains, funerary objects, sacred objects, or objects of cultural patrimony." The term has been replaced. One commenter recommended deleting the phrase "other Indian tribes that may have a relationship..." in the second sentence. The existing phrase is drawn from section 3 (a)(2)(C)(2) of the Act and has been retained. One commenter recommended provisions that require the notice include information regarding the proposed time and place for meetings and the Federal agency's proposed treatment and disposition of the intentionally excavated or inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony. The suggested language has been included in the text. One commenter recommended revising the last sentence of § 10.5 (b) to require traditional religious leaders be consulted and their recommendations followed. The requested revision runs counter to the requirements of the Act and has not been included in the text.

Two commenters requested further clarification of the type of activities that constitute consultation. Additional text has been added throughout § 10.5 to clarify the consultation process.

One commenter recommended inclusion of additional language in § 10.5 (c) requiring Federal agencies to provide in writing information regarding the nature and general location of any inadvertent discovery or proposed activity. The recommended text has been added. One commenter recommended rewriting § 10.5 (c)(2) to indicate that additional documentation will be supplied if it has been used to identify the cultural affiliation of human remains, funerary objects, sacred objects, or objects of cultural patrimony.

The proposed language has been included in the text.

One commenter recommended amending § 10.5 (d) to indicate that failure to respond to the Federal agency's request for information could be taken to signify an Indian tribe's voluntary withdrawal from standing under these sections. Indian tribes or Native Hawaiian organizations that have been duly notified of an intentional excavation or inadvertent discovery are not required to respond to the Federal agency's request for information. One commenter recommended including language to insure that information provided to Federal agency officials will, at the request of the Indian tribe or Native Hawaiian organization, be held in confidence. The Act provides no specific exemptions from provisions for the Freedom of Information Act for culturally sensitive information. However, Federal agency officials may, at the request of an Indian tribe or Native Hawaiian organization official, take such steps as are considered necessary pursuant to otherwise applicable law to ensure that information of a particularly sensitive nature is not made available to the general public. One commenter recommended changing "collections" in § 10.5 (d)(3) to "human remains, funerary objects, sacred objects, or objects of cultural patrimony." The recommended change has been made. Two commenters identified § 10.5 (d)(5) as being too broad and unlikely to give useful guidance and recommended deleting the subsection. Although not determinant, information about the kinds of cultural items that the Indian tribe or Native Hawaiian organization considers as funerary objects, sacred objects, or objects of cultural patrimony is important and useful for Federal agency officials to make decisions required of them under these regulations. The subsection has been retained.

One commenter recommended tying the requirements in § 10.5 (e) explicitly to the coordinated preparation of individual environmental and cultural resource management plans for projects, facilities, and land units. Integration of the requirements of these regulations with those of other statutes and policies has been left to the discretion of each affected Federal agency. One commenter considered § 10.5 (e) fine as it stands. One commenter recommended requiring the completion of a written plan of action as a result of consultation. The text has been rewritten to make it clear that completion of a written plan of action, approved and signed by the Federal agency official, is required. One

commenter recommended requiring the approval and signature of the written plan of action by the affiliated Indian tribe officials. While the approval and signature of Indian tribe officials and other parties is desirable, the concurrence of these officials to the written plan of action is not required. One commenter recommended the written plan of action include *in situ* preservation to offset what the commenter perceived as a bias toward "excavation, analysis and recordation of imbedded materials," and too narrow a definition of custodial interest in imbedded materials. One commenter requested clarification of the term "treatment" as used in § 10.5 (e)(3) and (e)(7). The term is used throughout these regulations according to its common meaning, that is, a specific manner of dealing with human remains, funerary objects, sacred objects, or objects of cultural patrimony. The specifics of treatment must be considered as part of the consultation process. Two commenters recommended including *in situ* preservation specifically as a treatment option in § 10.5 (e)(3). Preservation of human remains, funerary objects, sacred objects, or objects of cultural patrimony in place should be considered whenever possible. Because case-by-case examples have not been provided, the option has not been added to the regulatory text. Three commenters recommended including language under § 10.5 (e)(4) to indicate that archeological recording must comply with certain standards. Any archeological activity conducted on Federal or tribal lands, including the intentional excavation or removal of human remains, funerary objects, sacred objects, or objects of cultural patrimony, must meet the standards provided by ARPA. One commenter recommended requiring radiocarbon dating as part of the archeological reporting. Determining the necessity of radiocarbon or other types of analysis must be on a case-by-case basis. One commenter recommended deleting § 10.5 (e)(5) since analysis should only be permitted in the rare circumstance where the cultural affiliation of human remains, funerary objects, sacred objects, or objects of cultural patrimony is not clear. The subsection has been retained to ensure that analysis is discussed thoroughly during the consultation process. One commenter recommended specifying the steps to be followed to contact traditional religious leaders should under § 10.5 (e)(6). The Act does not require consultation between Federal agency officials and traditional religious leaders regarding the

intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Identification of traditional religious leaders and the recommended steps in contacting them is left to the discretion of Indian tribe officials. Three commenters recommended specification of a deadline for completion of the written plan of action. Written plans of action should generally be completed during the thirty (30) day consultation period following an inadvertent discovery or prior to issuance of an ARPA permit for intentional excavations.

Three commenters recommended changing the title of § 10.5 (f) from "Programmatic agreements" to "Comprehensive agreements" to avoid confusion between agreements developed regarding the treatment and disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands and programmatic agreements developed pursuant to provisions of the NHPA. The term "programmatic agreements" has been changed in the title and throughout the subsection to "comprehensive agreements." Two commenters identified such agreements as "an awkward means of accomplishing the intent of the law," and recommended deleting the subsection. Comprehensive agreements are intended to provide Federal agency officials and Indian tribe officials with an efficient means of ensuring intentionally excavated and inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony receive the appropriate treatment and disposition. The subsection has been retained. One commenter objected to the reference to "specific" human remains, funerary objects, sacred objects, or objects of cultural patrimony referenced in the first section of § 10.5 (f) on the grounds that such agreements should define proactively the procedures and criteria for the treatment and disposition of any human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently. The term has been deleted from the text. One commenter recommended that comprehensive agreements address not only Federal agency land management activities, but Federal agency regulatory responsibilities as well. These regulations address Federal agency responsibilities under the Act. While Federal agency responsibilities under

other statutory, regulatory, and policy mandates need to be considered in preparation of such documents, the inclusion of such requirements in these rules is not appropriate. One commenter recommended including language requiring the consent of traditional religious leaders to any comprehensive agreements in the text. The Act does not require consultation between Federal agency officials and traditional religious leaders regarding the treatment or disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands. One commenter recommended modifying the last sentence of the subsection to indicate that the "signed" comprehensive agreement should be considered proof of consultation. The text has been edited as recommended.

One commenter recommended requiring Indian tribe officials to consult with and make recommendations following the advice of traditional religious leaders. The Act does not require consultation between Indian tribe officials and traditional religious leaders regarding the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Consultation with traditional religious leaders is left to the discretion of Indian tribe officials.

#### *Section 10.6*

This section carries out section 3 (a) of the Act, subject to the limitations in § 10.15, regarding custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands after November 16, 1990. One commenter objected to the terms "legal interest in" and "ownership" as applied to human remains, funerary objects, and objects of cultural patrimony; and recommended replacing the terms with "custodial responsibility." The terms have been changed to "custody" throughout the text. This change, however, is only editorial and does not alter the requirements of the Act. One commenter recommended deleting reference to the limitations in § 10.15 from this section. Limitations on the custodial criteria presented in section 3 (a) of the Act are drawn from section 7 (b), (c), and (e) of the Act. Both § 10.15 and the cross-reference in this section have been retained. One commenter recommended setting limits in this section on just how temporally and culturally far afield claims of custody can be extended reasonably.

Applicability of the custody criteria in this section is dependant on the facts of each case and will vary. The type of limits recommended by the commenter are considered inappropriate to such a case-by-case evaluation process. One commenter recommended including language in this section to identify the party responsible for substantiating claims. Lineal descendants or Indian tribes or Native Hawaiian organizations must provide information to substantiate their claims as outlined in § 10.10 (a) and (b).

One commenter recommended concluding the search for the custodian of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands with the first legitimate claimant identified under § 10.6 (a) that declines to make and substantiate a claim. One commenter recommended limiting custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony found on tribal lands to those human remains, funerary objects, sacred objects, or objects of cultural patrimony dating after establishment of the reservation. Two commenters recommended reversing the order of the custody criteria in § 10.6 (a)(2)(i) and (a)(2)(ii) so that culturally affiliated Indian tribes or Native Hawaiian organizations are given preference over tribal land owners. Another commenter recommended giving culturally affiliated Indian tribes preference over tribal land owners in claims for sacred objects or objects of cultural patrimony found on tribal lands. One commenter recommended deleting the custody criteria in § 10.6 (a)(2)(ii) and (a)(2)(iii) and instead have human remains, funerary objects, sacred objects, or objects of cultural patrimony found on Federal lands revert to the United States. One commenter recommended including language under § 10.6 (a)(2)(iii)(A) that would restrict any Indian tribe making a claim based upon its aboriginal occupation of Federal land from any action that would irreparably damage the interests of another Indian tribe who might have a superior claim. The custody criteria in § 10.6 (a) are taken virtually verbatim from section 3 (a) of the Act. All of the above recommendations run counter to those ownership criteria established by the Act and have not been included in the text.

Three commenters requested clarification in § 10.6 (b) of how the custody criteria effect Federal responsibilities under NHPA and ARPA. To the extent that any conflicts among those laws may exist, it is a general rule

of statutory construction that newer and more specific legislation takes precedence over older or more general laws. The custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands is as specified in § 10.6 (a).

One commenter stated that the obvious purpose of § 10.6 (c) is to create disputes between Indian tribes or between Native Hawaiian organizations regarding the custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands, and recommended deleting the subsection. One commenter recommended inclusion of language in this subsection indicating that an identified individual, Indian tribe, or Native Hawaiian organization custodian has decision-making authority regarding the treatment and disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands. Individual, Indian tribe, or Native Hawaiian custodians of human remains, funerary objects, sacred objects, or objects of cultural patrimony gain complete decision-making authority regarding the treatment and disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony upon the transfer of those human remains, funerary objects, sacred objects, or objects of cultural patrimony from the Federal agency. One commenter recommended deleting the word "traditional" from the second sentence of § 10.6 (c). Another commenter recommended adding the phrase "of the specific Indian tribe in each instance" at the end of the same sentence for clarification. The recommended language has been added to the text. Two commenters requested clarification of the purpose and nature of the public notices required in the third sentence of § 10.6 (c). Three commenters recommended the publication of notices regarding the disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands in the tribal or local newspapers of those Indian tribes that have standing to make a claim under § 10.6 (a), as well as in a newspaper of general circulation in the area in which the human remains, funerary objects, sacred objects, or objects of cultural patrimony were

excavated intentionally or discovered inadvertently. Another commenter recommended requiring publication of the notices within seven (7) days of determination of which Indian tribe or Native Hawaiian organization has custodial rights. Another commenter objected to the public notice requirement in that it might offend the sensibilities of those Indian tribes or Native Hawaiian organizations involved. This subsection outlines procedures to ensure due process in the transfer of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands to their proper individual, Indian tribe, or Native Hawaiian organization custodian. Notices need only provide information adequate to allow potentially interested lineal descendants, Indian tribes, or Native Hawaiian organizations to determine their interest in claiming custody under these regulations. The requirements regarding publication of public notices have been rewritten for clarity and include provisions for publication in local and tribal newspapers of general circulation in the areas in which culturally affiliated Indian tribes or Native Hawaiian organizations now reside.

#### *Section 10.7*

This section has been reserved for procedures for the disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands or tribal lands after November 16, 1990. One commenter recommended developing this section with input from Indian tribes and Native Hawaiian organizations. Section 3 (b) of the Act requires that regulations regarding the disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribe lands be published by the Secretary in consultation with the Review Committee, and representatives of Indian tribes, Native Hawaiian organizations, museums and the scientific community.

#### *Section 10.8*

This section carries out Section 6 of the Act related to conducting summaries of collections in the possession or control of museums that receive Federal funding or Federal agencies which may contain unassociated funerary objects,

sacred objects, and objects of cultural patrimony. Four commenters objected to use of the phrase "collections that may include..." in § 10.8 (a) and throughout the section as overstepping the statutory authorization and giving the mistaken impression that these regulations apply to entire collections and not to specific unassociated funerary objects, sacred objects, and objects of cultural patrimony. The statutory language is unclear whether summaries should include only those unassociated funerary objects, sacred objects, or objects of culturally affiliated with a particular Indian tribe or Native Hawaiian organization, or the entire collection which may include these cultural items. The legislative history and statutory language does make it clear that the summary is intended as an initial step in bringing an Indian tribe and Native Hawaiian organization into consultation with a museum or Federal agency. Consultation between a museum or Federal agency and an Indian tribe or Native Hawaiian organization is not required until after completion of the summary. Identification of specific sacred objects or objects of cultural patrimony must be done in consultation with Indian tribe representatives and traditional religious leaders since few, if any, museums or Federal agencies have the necessary personnel to make such identifications. Further, identification of specific unassociated funerary objects, sacred objects, and objects of cultural patrimony would require a museum or Federal agency to complete an item-by-item listing first. The drafters opted for the more general approach to completing summaries of collections that may include unassociated funerary objects, sacred objects, or objects of cultural patrimony rather than the itemized list required for the inventories in hopes of enhancing the dialogue between museums, Federal agencies, Indian tribes, and Native Hawaiian organizations required under the Act. One commenter requested clarification of the deadlines and funding responsibility of this section. Section 10.8 (c) of these regulations clearly states that summaries under this section are to be sent to affiliated or likely affiliated tribes by November 16, 1993. Funding responsibilities lie with the museums and Federal agencies maintaining such collections. Grants to aid museums, Indian tribes, and Native Hawaiian organizations in carrying out the Act are authorized in section 10 of the Act.

Three commenters questioned use of the term "undertakings" in the last

sentence of § 10.8 (a). One commenter (67-3) recommended defining the term as used in section 106 of NHPA. Two commenters recommended changing the term to "activities" or "actions" to make it clear that provisions of the Act do not necessarily apply to Federal "undertakings" conducted on private land. The term has been changed to "actions" to clarify that Federal agencies may not be responsible for ensuring that requirements of this section are met for all collections obtained as part of section 106 "undertakings" on non-Federal land.

One commenter recommended including language in § 10.8 (a) to require Federal agencies to consult with non-Federal institutions prior to initiating consultation with Indian tribes or Native Hawaiian organizations that are culturally affiliated with human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal lands but currently in the possession of the non-Federal institution. Another commenter recommended including specific language to stress that non-Federal institutions do not have authorization to unilaterally dispose of human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal lands. Requirements regarding the relationship between Federal agencies and non-Federal institutions are not specified in the Act. ARPA and NHPA assign responsibility for long term care and curation of collections from Federal land and actions to the Federal agency that manages the land or undertakes the action.

One commenter recommended including language in § 10.8 (b) specifying that summaries should include information readily available from museum records as to whether an object is an unassociated funerary object, sacred object, or object of cultural patrimony, as well as an assessment of the general reliability of the records. Information regarding individual unassociated funerary objects, sacred objects, and objects of cultural patrimony is more appropriately shared during the consultation process. The regulatory text has not been changed.

Three commenters recommended including some provision for extension of the November 16, 1993 deadline for completion of the summaries in § 10.8 (c). While provisions for extensions to the November 16, 1995 deadline for completion of inventories of human remains and associated funerary objects are included in section 5 (c) of the Act, no such provisions for extension of the summary deadlines are included in

either the statutory language or in the legislative history. Provisions for extensions to the summary deadlines have not been included in these regulations.

Six commenters recommended changes regarding the identification of consulting parties in § 10.8 (d)(1). Two commenters recommended deleting § 10.8 (d)(1)(i) requiring consultation with lineal descendants, since section 7 (a)(3) of the Act only requires consultation with lineal descendants to determine the place and manner of delivery of human remains, funerary objects, sacred objects, or objects of cultural patrimony being repatriated. The subsection requiring consultation with lineal descendants has been deleted. Two commenters recommended that identification of traditional religious leaders in § 10.8 (d)(1)(ii) be made by "members of" Indian tribes and Native Hawaiian organizations to be consistent with the definition of that term. The phrase has been edited to conform with the definition of in § 10.2 (a)(13). One commenter recommended deleting § 10.8 (d)(1)(ii)(A) and (a)(ii)(B) requiring consultation with Indian tribes from whose tribal or aboriginal lands unassociated funerary objects, sacred objects, and objects of cultural patrimony were recovered since section 7 (a)(2) of the Act specifies that only lineal descendants and culturally affiliated Indian tribes and Native Hawaiian organizations have standing to make a claim. Another commenter recommended including language in the rule indicating a presumption that the Indian tribe from whose tribal lands unassociated funerary objects, sacred objects, and objects of cultural patrimony were recovered is the custodian. The requirements in § 10.8 (d)(1)(ii)(A) and (d)(1)(ii)(B) are included to ensure that all Indian tribes and Native Hawaiian organizations that are potentially culturally affiliated with particular unassociated funerary objects, sacred objects, and objects of cultural patrimony are included in the consultation process. Whether an Indian tribe from whose tribal or aboriginal lands a particular unassociated funerary object, sacred object, or objects of cultural patrimony originated is culturally affiliated with that object must be determined on an item-by-item basis. Two commenters recommended deleting the phrase "or likely to be" in § 10.8 (d)(1)(iii). This subsection defines the class of consulting parties from which the culturally affiliated Indian tribe or Native Hawaiian organization will be identified. The phrase is used to

indicate that the identification of consulting parties should be inclusive to ensure all Indian tribes and Native Hawaiian organizations that are, or are likely to be culturally affiliated with the unassociated funerary objects, sacred objects, or objects of cultural patrimony are included in the consultation process.

One commenter recommended revising the requirement to initiate consultation no later than the completion of the summary process in § 10.8 (d)(2) to indicate consultation must follow completion of the summary. Another commenter recommended revising the subsection to require the initiation of consultation as early as possible. Another commenter recommended requiring museums and Federal agencies to provide Indian tribes and Native Hawaiian organizations with a "notice of summary" indicating that their collections were under review. The Review Committee recommended revising the subsection to indicate that consultation should result in telephone or face-to-face dialogue. The drafters intend the summary to serve as an initial invitation from the museum or Federal agency to the Indian tribe or Native Hawaiian organization to engage in consultation regarding the identification of unassociated funerary objects, sacred objects, and objects of cultural patrimony in their collection. All museums and Federal agencies are required to complete their summaries by November 16, 1993. Language has been added to the subsection indicating that consultation may be initiated with a letter, but should be followed up by telephone or face-to-face dialogue with the appropriate Indian tribe official.

The Review Committee recommended requiring museums and Federal agencies to provide copies of their summaries to the Departmental Consulting Archeologist in § 10.8 (d)(3). The Departmental Consulting Archeologist provides staff support to the Review Committee, which in turn is required, under section 8 (c)(2) of the Act, to monitor the summary and inventory processes to ensure a fair, objective consideration and assessment of all available relevant information and evidence. The recommended language has been included. One commenter requested clarification regarding the requirement in the second sentence of § 10.8 (d)(3) that museums and Federal agencies, upon request, provide Indian tribes and Native Hawaiian organizations with access to records, catalogues, relevant studies, or other pertinent data. The regulatory language is drawn from section 6 (b)(2) of the Act.



Museums or Federal agencies may not limit Indian tribal access to information needed to determine the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of object covered by the summary. Museums or Federal agencies are under no obligation to pay the travel or other expenses of visiting Indian tribe representatives or traditional religious leaders.

One commenter recommended inclusion of time limits for Indian tribe and Native Hawaiian organization responses to museum and Federal agency requests for information outlined in § 10.8 (d)(4). No time limits for Indian tribe and Native Hawaiian organization response are included in the statutory language or the legislative history and none have been included in this subsection. Indian tribes and Native Hawaiian organizations are under no requirement to respond to museum or Federal agency requests for information. One commenter recommended revising the request for information under § 10.8 (d)(4)(i) to include the name and address of one or more traditional religious leaders. Requirements to request the name and address of traditional religious leaders have already been included under § 10.8 (d)(4)(iii). One commenter objected to the implication in § 10.8 (d)(4)(ii) that, prior to consultation, a museum or Federal agency official could identify a sacred object in their collection to request the name and address of the lineal descendants of its previous custodian. Documentation may be sufficient to indicate that a particular item in a museum or Federal agency's collection might fit the definition of sacred object. The museum or Federal agency should use this information to advance the consultation process by requesting the name and address of any lineal descendants of its previous custodian. One commenter recommended that the requests for information also include a description of the Indian tribe's traditional kinship system under § 10.8 (d)(4)(ii)(A). Information regarding an Indian tribe's traditional kinship system is only necessary when an individual is claiming an unassociated funerary object or sacred object, and is more appropriately requested at that time. One commenter recommended amending § 10.8 (d)(4)(iii) to require consultation and agreement with the recommendations of traditional religious leaders. The recommended requirement is not appropriate since the statutory language does not require Indian tribes or Native Hawaiian

organizations to provide information regarding traditional religious leaders. One commenter recommended limiting the request for information to recommendations on how the consultation process should be conducted and that § 10.8 (d)(4)(i), (4)(ii), (4)(iii), and (4)(v) be deleted. The drafters recognize that the identification of lineal descendants, funerary objects, sacred objects, and objects of cultural patrimony may require Indian tribes and Native Hawaiian organizations to divulge sensitive information. Requesting the information at the beginning of consultation, however, may lead to a more open and effective consultation process. Indian tribe officials are under no obligation to respond to these inquiries.

One commenter, fearing widespread misapplication of these regulations, recommended requiring museums and Federal agency officials to document certain information and use that information to identify unassociated funerary objects, sacred objects, objects of cultural patrimony, lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations. The recommended text has been included as § 10.8 (a) and the subsequent section renumbered. Submission of this information to the Departmental Consulting Archeologist is not required by these regulations. The Review Committee, pursuant to section 8 (f), may request access to this information.

Two commenters requested clarification for requiring notification prior to repatriation of unassociated funerary objects, sacred objects, and objects of cultural patrimony in § 10.8 (e) (renumbered as § 10.8 (f)). The notification required in section 5 (d) of the Act ensures due process regarding the repatriation of human remains and associated funerary objects. Provisions of this subsection extend the notification procedures to ensure due process in the repatriation of unassociated funerary objects, sacred objects, and objects of cultural patrimony. The Review Committee recommended reducing the specificity of the requirement of an object-by-object listing of unassociated funerary objects, sacred objects, and objects of cultural patrimony to be repatriated. The regulatory text has been revised to require a description of any unassociated funerary objects, sacred objects, and objects of cultural patrimony to be repatriated in sufficient detail so as to allow others to determine if they are interested in the claim. Section 10.8 (e) of these regulations requires that museums and Federal

agencies consider the same types of information as are required in § 10.9 (c) in evaluating requests for repatriation. Two commenters recommended including text establishing a deadline for responses to the required notification. A minimum waiting period of thirty (30) days following publication of the notice of intent to repatriate in the Federal Register is established in § 10.10 (a)(3). Any claim received by a museum or Federal agency prior to actual repatriation, however, should be given full consideration. One commenter recommended requiring museum officials to consult with the appropriate Federal agency officials prior to issuance of notices by the museum regarding unassociated funerary objects, sacred objects, or objects of cultural patrimony that were excavated intentionally or discovered inadvertently on Federal lands. Notices regarding the repatriation of unassociated funerary objects, sacred objects, or objects of cultural patrimony that were excavated from Federal lands can only be issued by the appropriate Federal agency or by an institution specifically authorized to issue such notices by the appropriate Federal agency. One commenter recommended including language in this subsection informing Indian tribes and Native Hawaiian organizations of their right by law to request access to museum or Federal agency records as they relate to the review of their claim. The recommended language is included in § 10.8 (d)(3). The Review Committee recommended inclusion of text in this subsection to reiterate the requirement in § 10.10 (a)(3) that repatriation not occur until at least thirty (30) days after publication of a notice of intent to repatriate in the Federal Register. The proposed language has been included.

#### *Section 10.9*

This section presents procedures for carrying out section 5 of the Act related to conducting inventories of human remains and associated funerary objects in the collections of Federal agencies or museums receiving Federal funds. Fifteen commenters recommended changes to the inventory procedures in § 10.9. One commenter requested clarification of the deadlines and funding responsibility of this section. Section 10.9 (f) states that inventories under this section are to be completed not later than November 16, 1995. Funding responsibilities lie with the museums and Federal agencies maintaining such collections. Three commenters requested funding aid to comply with the Act. Although section 10 of the Act authorizes funding in

terms of grants to aid museums, Indian tribes, and Native Hawaiian organizations in carrying out the Act, funds were first appropriated during FY 1994.

One commenter requested clarification regarding the term "geographical affiliation" in the first sentence of § 10.9 (a). The term has been changed to "geographical origin" to reflect usage in section 5 (b)(2) of the Act. Two commenters recommended deleting the term "undertakings" from the last sentence of § 10.9 (a) because of its long history as a legal term of art under section 106 of the NHPA. The term has been changed to "actions" to avoid any confusion.

One commenter recommended inclusion of language in § 10.9 (b) stressing that Federal agency officials are responsible for carrying out consultation regarding human remains and associated funerary objects that were excavated or removed from Federal lands and that are currently in a non-Federal repository. One commenter suggested inclusion of language allowing shared responsibility between a Federal agency and curating institution. Federal agency officials are responsible for carrying out the Act regarding all human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands, regardless of the type of institution that currently is in possession of those human remains, funerary objects, sacred objects, or objects of cultural patrimony. Section 10.9 (a) emphasizes this responsibility of Federal agencies. Two commenters recommended including a stipulation in § 10.9 (b) allowing a museum or Federal agency to declare that, due to unresponsiveness, no further contact with an Indian tribe or Native Hawaiian organization will be pursued. The drafters consider the recommended language counterproductive to achieving the type of effective consultation envisioned by the Act. Museums and Federal agencies are required to complete inventories of human remains and associated funerary objects in their collections by November 16, 1995. If no response is forthcoming after repeated attempts to contact Indian tribe officials by telephone, fax, and mail, the museum or Federal agency official may be required to complete the inventory without consultation to meet the statutory deadline. The drafters suggest museum and Federal agency officials document attempts to contact Indian tribe officials to demonstrate good faith compliance with these regulations and the Act.

One commenter recommended rewriting the requirements regarding consultation with lineal descendants in § 10.9 (b)(1)(i) to coordinate these activities through designated Indian tribe officials. The statute gives lineal descendants priority over culturally affiliated Indian tribes or Native Hawaiian organizations for the repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Establishing a system in which contact with lineal descendants is coordinated through Indian tribes or Native Hawaiian organizations would be detrimental to the rights of lineal descendants, particularly those that are not members of an Indian tribe or Native Hawaiian organization. One commenter recommended amending § 10.9 (b)(1)(i) to make it clear that museum and Federal agency officials must consult with lineal descendants of individuals whose remains and associated funerary objects are, in the opinion of the responsible Federal agency official or museum official, likely to be subject to the inventory provisions of these regulations. The drafters consider the current language to describe adequately the responsibilities of Federal agency officials or museum officials regarding consultation with lineal descendants.

One commenter recommended rewording the first sentence of § 10.9 (b)(1)(ii) to make it clear that consultation must be with Indian tribe officials. This change has been made. Two commenters recommended changing the second part of the sentence to indicate that traditional religious leaders must be recognized by members of the Indian tribe. The text has been changed to conform with the definition of in § 10.2 (a)(13). One commenter recommended inserting the word "the" prior to each usage of "human remains" throughout § 10.9 (b)(1)(ii)(A), (B), and (C) to make it clear that the procedures refer to specific human remains and not human remains in general. The recommended change has been made.

Three commenters recommended restructuring the consultation process in § 10.9 (b)(2) to allow museums and Federal agencies to make a tentative determination of cultural affiliation and then allow comment on the determination by interested groups. Section 5 (b)(1)(A) of the Act requires that inventories be completed in consultation with Indian tribe and Native Hawaiian organization officials and traditional religious leaders. The notification procedures in § 10.9 (e) are designed to ensure that all interested parties have the opportunity to participate in the consultation process.

Another commenter recommended requiring consultation at the earliest possible moment in the inventory process. Language reflecting the latter recommendation has been included in the text.

One commenter recommended revising § 10.9 (b)(3)(iv) to state that if any additional documentation was used to identify cultural affiliation, this documentation must be made available on request. Language ensuring Indian tribes and Native Hawaiian organization access to relevant documentation is included in § 10.9 (e).

One commenter recommended deleting the word "reasonably" from § 10.9 (b)(4)(v) on the grounds that it is unreasonable for the United States to request an Indian tribe or Native Hawaiian organization to be reasonable in its beliefs regarding objects used for burial purposes. Reasonableness in this context refers to an accepted legal standard and has been retained in the regulatory text.

One commenter objected to the information requirements in § 10.9 (c) as exceeding requirements of the Act. Another commenter recommended amending the requirements to ensure that completion of the inventory would not be delayed. The information requirements in § 10.9 (c) were drawn from section 5 (a)(2) of the Act. One commenter recommended including text in § 10.9 (c) specifying the types of information that can not be requested. The Act does not identify any types of information that can not be requested. The drafters consider inclusion of such a requirement to be detrimental to the development of productive dialogues between museums, Federal agencies, Indian tribes, and Native Hawaiian organizations. One commenter recommended reorganizing the information requirements for clarity. Sections 10.9 (c)(1) through (c)(8) have been reorganized and renumbered. One commenter recommended changing § 10.9 (c)(7) to require either a description or photographic documentation of the human remains, funerary objects, sacred objects, or objects of cultural patrimony, and not both. The drafters consider description of the human remains, funerary objects, sacred objects, or objects of cultural patrimony to be necessary in all cases, with photographic documentation considered appropriate in some circumstances. The types of information required in § 10.9 (c) have not been changed. The drafters feel that careful, detailed consideration of all human remains and associated funerary objects is critical to carry out the statutory requirements. Basic descriptive

information is necessary to ensure accountability and that the human remains and associated funerary objects conform to the statutory definitions. Detailed information from Federal agency or museum records and other sources are essential in reaching determinations of lineal descent or cultural affiliation as part of the inventory procedures.

One commenter recommended consolidating the two listings described in § 10.9 (d)(1) and (d)(2) into one list. Separation of the two lists reflects the different purposes intended in the § 10.9 (e) inventory process. The listing of culturally affiliated human remains and associated funerary objects is sent directly to Indian tribes and Native Hawaiian organizations, with a copy to the Departmental Consulting Archeologist. The listing of culturally unidentifiable human remains and associated funerary objects is sent only to the Departmental Consulting Archeologist. One commenter objected to use of the term "clearly" regarding the determination of cultural affiliation in § 10.9 (d)(1) as being contrary to Congressional intent and recommended deleting it from the regulatory text. The term was drawn from section 5 (d)(1)(B) of the Act and reflects Congressional intent. Another commenter recommended keeping the list of those human remains and associated funerary objects that are clearly identifiable as to tribal origin separate from those human remains and associated funerary objects are determined by reasonable belief to be cultural affiliated with the same Indian tribe or Native Hawaiian organization. Since both categories of human remains and associated funerary objects are considered to be culturally affiliated with the Indian tribe or Native Hawaiian organization, and are thus available for repatriation by that Indian tribe or Native Hawaiian organization, there is no practical reason to separate the lists.

One commenter recommended clarifying throughout this subsection that museum or Federal agency officials may need to send the same inventory to multiple Indian tribes or Native Hawaiian organizations. The text has been modified to reflect this concern.

Four commenters recommended replacing the word "shall" in the second sentence of § 10.9 (e)(4) with "should." The Secretary has delegated authority to carry out some provisions of the Act to the Departmental Consulting Archeologist. These responsibilities include providing staff support to the Review Committee. The Review Committee is required under section 8 (c)(2) of the Act to monitor the

inventory and identification process. Submission of inventories in electronic format is intended to facilitate the monitoring process. However, in recognition that some museums may have difficulty meeting the electronic format requirement, the drafters have changed the word "shall" in the second sentence to "should." One commenter recommended also allowing Federal agencies to use alternative methods for submission of notices to the Departmental Consulting Archeologist. The phrase "and Federal agencies" has been inserted after "museums" in the text. The Review Committee recommended inclusion of language in this subsection requiring museums and Federal agencies to retain possession of culturally unidentifiable human remains pending promulgation of § 10.11 of these regulations. The recommended language has been included.

One commenter recommended requiring listings of culturally unidentifiable human remains described in § 10.9 (e)(6) be sent to all Indian tribes and Native Hawaiian organizations as well as to the Departmental Consulting Archeologist. Section 8 (c)(5) of the Act gives the Review Committee responsibility for recommending specific action for developing a process for disposition of culturally unidentifiable human remains. Section 10.11 of these regulations has been reserved for that purpose. The drafters consider it premature at this time to establish such procedures.

Two commenters requested extending the November 16, 1995 deadline for completion of inventories in § 10.9 (f). The deadline for completion of inventories is specified in section 5 (b)(1)(B) of the Act and would require Congressional action to change. One commenter recommended including language in this subsection to indicate that the requirement to repatriate may be suspended during the preparation of the inventories. The drafters consider such a suspension of the requirement to repatriate counter to statutory language and legislative history. Two commenters recommended including language in this subsection to allow Federal agencies to apply for extensions of time to complete their inventories. Section 5 (c) of the Act specified that any museum which has made a good faith effort but which has been unable to complete an inventory may appeal to the Secretary for an extension of the time requirements. No provisions are provided in the Act for Federal agencies to apply for extension. One commenter recommended including language in

this subsection limiting the number and length of extensions granted to a museum to complete its inventories. The Secretary will determine the number and length of extensions on a case-by-case basis. One commenter recommended requiring museums to apply for an extension in the second sentence of § 10.9 (f). While a museum may choose not to apply for an extension, it is likely that failure to do so would be taken into account by the Secretary in determining if the museum had failed to comply with the requirements of the Act. One commenter requested clarification regarding a situation in which a museum fails to complete an inventory of human remains and associated funerary objects from Federal lands. Federal agencies are responsible for completion of summaries and inventories of all human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal lands regardless of the type of institution in which they are currently curated. One commenter recommended incorporation of personnel qualifications in this subsection for individuals involved in the completion of the inventory plan. Museums are expected to make sure that all of their personnel are qualified to undertake the tasks expected of them.

#### *Section 10.10*

Thirty-three commenters recommended changes to the section on repatriation. One commenter recommended rewriting § 10.10 (a)(1) and § 10.10 (b)(1) to emphasize that all of the criteria for repatriation must be met. The initial sentence of each section has been rewritten to state "If all the following criteria are met..." In addition, the word "and" has been added at the end of all but the final roman numeral subsections in these two sections. Another commenter requested clarification of the term "expeditiously" which is used in both sections. The rule of statutory construction generally holds that undefined terms are interpreted in their common meaning.

One commenter recommended inclusion of language in § 10.10 (a)(1)(ii) and (b)(1)(ii) allowing several Indian tribes or Native Hawaiian organizations to make joint claims for human remains, funerary objects, sacred objects, or objects of cultural patrimony. The drafters feel the current language allows for joint claims. Another commenter recommended amending § 10.10 (a)(1)(ii) and § 10.10 (b)(1)(ii) to clarify that the cultural affiliation of human remains, funerary objects, sacred objects, or objects of cultural patrimony can be established independently of the

summary and inventory processes by presentation of a preponderance of the evidence by a requesting Indian tribe or Native Hawaiian organization. Additional text has been inserted under § 10.10 (a)(1)(ii)(B) and § 10.10 (b)(1)(ii)(B) to clarify this issue. Another commenter requested inserting the phrase "culturally affiliated" before "Indian tribe" in § 10.10 (a)(1)(iii). The recommended text has been included.

One commenter recommended deleting the phrase "which, if standing alone before the introduction of evidence to the contrary" from § 10.10 (a)(1)(iii). This phrase is taken directly from section 7 (c) of the Act regarding the standard of repatriation for unassociated funerary objects, sacred objects, and objects of cultural patrimony; and has been retained in the regulations.

One commenter recommended rewriting § 10.10 (a)(1)(iv) to make clear that a Federal agency or museum must present evidence to overcome the inference of tribal custody and prove its right of possession to unassociated funerary objects, sacred objects, or objects of cultural patrimony. The existing text is drawn from section 7 (c) of the Act and is interpreted to provide Federal agencies with some discretion as to whether information regarding right of possession must be used to challenge a request for repatriation.

One commenter recommended deleting § 10.10 (a)(1)(v) and § 10.10 (b)(1)(iii), referring to specific repatriation exemptions, to avoid confusion and havoc with Indian tribes. The specific exemptions to repatriation referred to in these subsections come from section 7 (b) and (e) of the Act.

Two commenters recommended changes to § 10.10 (a)(2) regarding right of possession. One commenter requested clarification of how right of possession might be demonstrated for prehistoric human remains, funerary objects, sacred objects, or objects of cultural patrimony. The right of possession basis for retaining cultural items in an existing collection does not apply to human remains or associated funerary objects, only to unassociated funerary objects, sacred objects, and objects of cultural patrimony. A right of possession for prehistoric cultural items fitting these categories might be written authorization from a competent authority to excavate, remove, and curate such items from a particular area or site. Another commenter recommended locating the definition of right of possession would more appropriately with the other definitions in § 10.2. The concept of right of possession has limited applicability in

these regulations to unassociated funerary objects, sacred objects, and objects of cultural patrimony. The explanation of right of possession is retained at this place in the regulations because it is only used for this specific aspect of the Act.

Three commenters recommended changes to § 10.10 (a)(3) and § 10.10 (b)(2) regarding notification. Two commenters requested clarification of whether the ninety (90) days during which repatriation must take place begins from the day a request for repatriation is received or from the day the responsible museum of Federal agency official makes a positive determination that the criteria for repatriation apply. The first sentence of this section has been redrafted to clarify that the ninety (90) day period begins with the receipt of a written request for repatriation from a culturally affiliated Indian tribe or Native Hawaiian organization. Another commenter stated that ninety (90) days may not be sufficient to determine to validity of each request. Section 7 of the Act requires that repatriation must be done "expeditiously" and implies in section 7 (b) a ninety (90) day time frame for such actions. Text has been added to provide for a longer period if mutually agreed upon. It is noted that determination of the validity of a claim should not be difficult since this period only applies to requests from Indian tribes and Native Hawaiian organizations that have been determined to be culturally affiliated with specific human remains, funerary objects, sacred objects, or objects of cultural patrimony.

Five commenters recommended changes to § 10.10 (b) regarding the repatriation of human remains and associated funerary objects. One commenter identified the criteria for repatriating human remains and associated funerary objects as being very confusing and recommended rewriting them for comprehension by lay people. One commenter recommended reiterating the applicability of "right of possession" to human remains and associated funerary objects recognized in the last sentence of section 2 (13) of the Act in this section of the regulations. American law generally recognizes that human remains can not be "owned." This interpretation is consistent with the second sentence of section 2 (13) of the Act that specifically refers to unassociated funerary objects, sacred objects, and objects of cultural patrimony, and with section 7 (a)(1) and (a)(2) of the Act in which no right of possession to human remains or associated funerary objects is inferred. One commenter strongly objected to the

requirement in § 10.10 (b)(2) that repatriation not occur until at least thirty days after publication of a notice of inventory completion in the Federal Register, referring to section 11 (1)(A) of the Act that states that nothing in the Act shall be construed to limit the authority of any museum or Federal agency to return or repatriate. Publication of the notice in the Federal Register was recognized in section 5 (d)(3) of the Act as necessary to ensure Constitutional due process requirements. Delaying a repatriation for thirty (30) days following publication of the notice provides any other legitimate claimant with an opportunity to come forward with a claim. This requirement in no way limits any organization's authority to repatriate. Section 11 (2) of the Act states that nothing in the Act shall be construed to delay action on repatriation requests "that are pending on the date of enactment of this Act," and makes it clear that Congress anticipated there might be some subsequent delays of repatriation initiated after November 16, 1990, due to the statutory provisions. One commenter asked whether a second Federal Register notice is required to document a claim following publication of a Notice of Inventory Completion. Requests for repatriation made after completion of the inventory and publication of the Notice of Inventory Completion in the Federal Register do not require publication of a second notice, unless it is determined as a result of a competing claim or otherwise that a different Indian tribe or Native Hawaiian organization than the one identified in the original notice is the proper recipient. In such instances, a second Federal Register notice is required prior to repatriation. In situations where more than one Indian tribe or Native Hawaiian organization was listed in the original notice, the museum or Federal agency official should consult with each of the listed Indian tribes or Native Hawaiian organizations prior to repatriating to any one of them.

Three commenters recommended deleting § 10.10 (c)(1) regarding the exception to the repatriation requirements for studies of human remains, funerary objects, sacred objects, or objects of cultural patrimony of major benefit to the United States. This exemption is drawn from section 7 of the Act. One commenter identified the phrase "commenced prior to receipt of a request" in this subsection as not being included in the statutory language and recommended deleting it. The phrase has been deleted. Six

commenters recommended clarifying the concept of "major benefit" in the exemption for completion of a specific scientific study in § 10.10 (c)(1). Such determinations necessarily will have to be made on a case-by-case basis. One commenter recommended that the deadline after completion of a study by which human remains, funerary objects, sacred objects, or objects of cultural patrimony must be repatriated be left to the discretion of the parties involved. The requirement that human remains, funerary objects, sacred objects, or objects of cultural patrimony be repatriated no later than ninety days (90) after completion of the study is drawn from the statutory language.

One commenter recommended replacing the phrase "proper recipient" in the first sentence of § 10.10 (c)(2) with "most appropriate recipient." The recommended change has been made. One commenter recommended including language in this subsection requiring museums and Federal agencies to comply with multiple party claims. The language in these regulations does not preclude claims for repatriation made by groups of lineal descendants or groups of Indian tribes or Native Hawaiian organizations. Museum and Federal agency officials are responsible for assessing the merits of each claim received.

One commenter recommended deleting the "takings exemption" in § 10.10 (c)(3) since it requires complex legal analysis that would unduly burden museum and Federal agency officials and is contrary to the provisions of the Act regarding the determination of custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony. The language in this subsection was drawn from section 2 (13) of the Act. Six commenters requested additional clarification of the subsection. Additional language has been included in the text. One commenter objected to the "globalization" of the constitutional test of a Fifth Amendment taking in this subsection to include human remains and associated funerary objects, stating that such an interpretation is not supported by the statutory language and recommending that the drafters refrain from attempting to redress in regulation what the commenter considers a facially unconstitutional element of the Act. The regulation has not been changed in response to this comment. The Act does not indicate an express intention to effectuate a legislative or regulatory taking. It is possible, though not likely, that human remains may be subject to Fifth Amendment concerns, e.g., where the human remains have been

incorporated into another object. The same commenter recommended including text to exempt museums from the threat of civil penalties in situations where the museum invokes its authority to refuse to repatriate human remains and associated funerary objects based on "otherwise applicable property law." A determination that repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony constitutes a taking of property without just compensation within the meaning of the Fifth Amendment of the United States Constitution must be made by a court of competent jurisdiction and can not be "invoked" by a museum or Federal agency. Assessment of civil penalties by the Secretary will necessarily be made on a case-by-case basis and, as such, the recommended exemption is not considered appropriate. However, the drafters consider it unlikely that the Secretary would assess civil penalties while a takings issue is being considered by a court of competent jurisdiction.

One commenter recommended deleting the reference in § 10.10 (c)(4) to other repatriation limitations in § 10.15. Section 10.15 includes limitation and remedies applying to both the disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal land or tribal lands and to the repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony in the possession or control of museums or Federal agencies.

Two commenters requested clarification regarding procedures related to the transfer of custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony to lineal descendants or Indian tribes in § 10.10 (d). Museum and Federal agency officials are responsible for making decisions regarding place and manner of repatriation. However, prior to making such decisions, they must first consult with the requesting lineal descendants or culturally affiliated Indian tribes.

One commenter recommended including additional text requiring museum and Federal agency officials to inform recipients of repatriations of any known treatments, such as application of pesticides, preservatives, or other substances, that might represent a potential hazard to the human remains, funerary objects, sacred objects, or objects of cultural patrimony or the persons handling them. The recommended text has been included as § 10.10 (e) and subsequent subsections renumbered.

Two commenters recommended including language in § 10.10 (e) (renumbered as § 10.10 (f)) advising museum and Federal agency officials that, upon the request of Indian tribe officials, they take steps to ensure that information of a particularly sensitive nature is not made available to the general public. The recommended text has been included in the rule. Documentation of some cultural items, particularly sacred objects and objects of cultural patrimony, is expected to require Indian tribe officials and traditional religious leaders to divulge some information considered sensitive to the Indian tribe or Native Hawaiian organization. There is currently no exemption available to protect such sensitive information from disclosure under the Freedom of Information Act. Museum or Federal officials may wish to ensure that sensitive information does not become part of the public record by not writing such information down in the first place.

Two commenters identified "unidentified human remains," referred to in § 10.10 (f) (renumbered as § 10.10 (g)) as a category not supported by the statutory language, and recommended deleting the term. Section 8 (c)(5) of the Act required the Review Committee to compile an inventory and make recommendations regarding specific actions for developing a process for disposition of "culturally unidentifiable human remains." Section 10.10 (g) has been amended to reflect that statutory language.

One commenter requested that § 10.10 reference the requirements of the Migratory Bird Treaty Act, the Bald and Golden Eagle Act, the Endangered Species Act and the Marine Mammal Act. While it is not appropriate to include the requirements of these acts in the regulations, museums, Federal agencies, and Indian tribes should be aware that additional statutes and regulations may affect the transport and possession of repatriated objects. For additional information, contact, the U.S. Fish and Wildlife Service, Division of Law Enforcement, PO Box 3247, Arlington VA 22203-3247.

#### *Section 10.11*

This section has been reserved for procedures related to the disposition of culturally unidentifiable human remains in museum or Federal agency collections. One commenter questioned the authority under which the Federal government can determine the final disposition of human remains for which no cultural affiliation can reasonably be established. Another commenter recommended changing the title of this

section to read "culturally and geographically unidentifiable" to ensure that a "simple-minded or hostile reading of the rules" would not result in assignment of many human remains to the catch-all category. One commenter requested clarification for procedures concerning "affected remains of . . . biologically extinct peoples". Section 8 (c)(5) and (c)(7) of the Act gives the Review Committee the responsibilities of recommending specific actions for developing a process for disposition of "culturally unidentifiable human remains" and consulting with the Secretary in the development of regulations to carry out the statute. Section 13 of the Act charges the Secretary with promulgating regulations to carry out the statute. One commenter recommended interring all culturally unidentifiable human remains in a tribal or intertribal cemetery. One commenter recommended sending inventories of all culturally unidentifiable human remains to all Indian tribes and Native Hawaiian organizations. One commenter requested that this section be published promptly. Another commenter recommended seeking Indian tribal input in developing this section to ensure that "the dominant society [not dictate] the proposed language to protect their own interests." A draft of this section is being developed currently and will be submitted to the Review Committee for discussion and recommendations prior to publication as proposed regulation for public comment in the Federal Register.

#### Section 10.12

This section has been reserved for procedures related to the assessment of civil penalties by the Secretary against any museum that fails to comply with the requirements of the statute. One commenter requested prompt publication of this section. A draft of this section is currently being developed and will be submitted to the Review Committee for discussion prior to publication for public comment in the Federal Register.

#### Section 10.13

This section has been reserved for procedures related to the future applicability of the statute. One commenter recommended that the section should include continuing responsibilities for museums and Federal agencies to update summaries and inventories of human remains, funerary objects, sacred objects, or objects of cultural patrimony to reflect new accessions, first time receipt of Federal funds, and the recognition of new Indian tribes and Native Hawaiian

organizations. One commenter requested clarification on the subject of future accessions. One commenter stressed that tribal input, comment and recommendations are imperative in formulating this section. A draft of this section is currently being developed and will be submitted to the Review Committee for discussion prior to publication for public comment in the Federal Register. One commenter proposed inclusion of a ten year time limit during which Indian tribes must make claims for repatriation. Time limits for claims were discussed by Congress when the bill was being considered but were not included in the Act. Inclusion of such time limits in the regulations would contradict Congressional intent.

#### Section 10.14

Eighteen commenters recommended changes to the section on lineal descent and cultural affiliation. Two commenters recommended further identification in § 10.14 (a) of the parties responsible for completing the required activities. On Federal lands, Federal agency officials are responsible for determining which modern Indian tribes and Native Hawaiian organizations may have valid claims upon human remains, funerary objects, sacred objects, or objects of cultural patrimony that are excavated intentionally or discovered inadvertently on lands they manage. For existing collections, the museum or Federal agency official is responsible for assembling, describing, evaluating human remains, funerary objects, sacred objects, or objects of cultural patrimony and making determinations regarding their cultural affiliation and disposition. It is the responsibility of lineal descendants, Indian tribes or Native Hawaiian organizations that disagree with determinations of cultural affiliation made by a Federal agency or museum official to develop and present information to challenge that determination.

Another commenter recommended changing all references to Indian tribe in this section to "Indian tribe or tribes" to reflect the fact that Indian tribes may bring joint claims for certain items. The drafters consider the current language to support the possibility of joint claims.

One commenter identified the criteria for determining lineal descendants in § 10.14 (b) as being overly restrictive and recommended broadening them to allow for both individual and Indian tribe and Native Hawaiian organization claims. One commenter requested including a procedure "for independent verification of claimed descent."

Criteria for determining lineal descent have been narrowly defined to reflect the priority given these claims under section 3 and section 7 of the Act. One commenter requested that the section include procedures for independent verification of any claims of lineal descent based upon traditional kinship systems. Museum or Federal agency officials are responsible for evaluating claims of lineal descent.

Three commenters identified criteria for determining cultural affiliation under § 10.14 (c)(1), (2) and (3) as placing an undue and unrealistic burden of proof on Indian tribes and Native Hawaiian organizations, and recommended fewer requirements. The three criteria — existence of an identifiable present-day Indian tribe or Native Hawaiian organization, evidence of the existence of an identifiable earlier group, and evidence of a shared group identity that can be reasonably traced between the present-day Indian tribe or Native Hawaiian organization and the earlier group—are the components of the statutory definition of cultural affiliation at section 2 (2) of the Act. They have been retained in the regulations.

Three commenters recommended rewording § 10.14 (c)(2) for clarification. The second sentence of § 10.14 (c)(2) has been rewritten to read: "Evidence to support this requirement may include, but is not necessarily limited to: . . ." One commenter recommended rewording § 10.14 (c)(2)(ii) to emphasize the desirability of demonstrating linkages between claimants and archeological remains. One commenter questioned whether it is possible to make biological distinctions between earlier groups as suggested in § 10.14 (c)(2)(iii). Cultural affiliation between particular human remains, funerary objects, sacred objects, or objects of cultural patrimony and particular Indian tribes and Native Hawaiian organizations must be determined on a case-by-case basis.

One commenter recommended regarding human remains or cultural objects found within the traditional (aboriginal) territory of an Indian tribe as being culturally affiliated with that Indian tribe, regardless of the antiquity of the human remains, funerary objects, sacred objects, or objects of cultural patrimony. The statutory provisions related to intentional excavation and inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal or tribal lands (section 3 of the Act) includes provisions for the disposition of human remains, funerary objects, sacred objects, or objects of

cultural patrimony to the Indian tribe that is recognized as aboriginally occupying the area in which the human remains or objects were recovered, if upon notice, such tribe states a claim for such human remains or items. No such criteria are included in the statutory sections regarding repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony in museum or Federal agency collections.

One commenter recommended inclusion of language from House Report 101-877 (page 5) clarifying that determinations of cultural affiliation should be based on an overall evaluation of the totality of the circumstances and evidence and should not be precluded solely because of some gaps in the record. Language from the House Report has been included as § 10.14 (d), and the subsequent sections relettered.

One commenter noted that the types of evidence listed in § 10.14 (e) were originally derived from section 7 (a)(4) of the Act—which deals exclusively with the determination of cultural affiliation — and recommends that lineal descent should be established through normally accepted methods of evidence. Section 7 (a) of the Act, of which section 7 (a)(4) is a subpart, deals with both determinations of lineal descent and cultural affiliation. It is the opinion of the drafters that each of the types of evidence listed could potentially be used to support a claim of lineal descent and should be available for use by potential claimants.

One commenter objected to oral tradition and folklore being allowed as evidence in § 10.14 (d), particularly for those areas, such as central, southwestern, southern, and coastal Texas, "where the aboriginal inhabitants have no biological descendants." One commenter recommended including a statement that physical anthropological/biological, archeological, and other "hard" scientific evidence will have the greatest bearing in determining the cultural affiliation of prehistoric materials, scaled with weight increasing as distance in time increases. One commenter recommended inclusion of a statement regarding "standards of evidence." The applicability and strength of particular types of evidence must be determined on a case-by-case basis. It would be inappropriate to place stipulations on the applicability of various types of evidence in regulation.

Two commenters recommended changing the last sentence of § 10.14 (e) to require that cultural affiliation be established with scientific certainty to avoid any misuse of the Act. A standard

of scientific certainty is not consistent with Congressional intent. The statement of evidence in this subsection is drawn from section 7 (a)(4) of the Act. Two other commenters questioned whether this subsection might give the impression that scientific research is of no value in determining cultural affiliation. Section 7 (a)(4) identifies scientific information related to numerous fields as having relevance to the determination of cultural affiliation. One commenter recommended stipulating that no repatriation will occur until the analysis is completed. Section 5 (a) specifies that the geographic and cultural affiliation of human remains and associated funerary objects be determined "to the extent possible based on information possessed by the museum or Federal agency." No new scientific research is required. Delaying repatriation until new scientific research is completed contradicts the intent of Congress unless that scientific research is considered to be of major benefit to the United States.

#### *Section 10.15*

Eleven commenters recommended changes to the section on repatriation limitations and remedies. One commenter stated the section was not consistent with the statute and recommended deleting it in its entirety. Two commenters identified § 10.15 (a)(1) as being unduly harsh to Indian tribes and Native Hawaiian organizations, and recommended deleting it. Section 10.15 (a)(1) ensures that any claim received prior to the disposition or repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony must be considered by the museum or Federal agency. Claims made after disposition or repatriation have occurred are properly the responsibility of the receiving lineal descendant, Indian tribe, or Native Hawaiian organization. The subsection has been retained as it is important for the protection of museums and Federal agencies that comply with the Act and regulations. One commenter recommended adding another subsection under the title "Multiple Claimants" to address such situations. Three commenters recommended specifying that a time period for competing parties to reach agreement on the appropriate disposition or repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony. No time period has been established because it appears to be contrary to Congressional intent. One commenter recommended inclusion of a statement specifying who decides the

disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony that cannot be shown to be culturally affiliated to a present-day Indian tribe or Native Hawaiian organization. Section 10.11 of the regulations has been reserved for procedures related to the disposition of culturally unidentifiable human remains.

One commenter recommended completing § 10.15 (b), reserved for "Failure to claim where no repatriation or disposition has occurred," as quickly as possible. Another commenter questioned whether the statutory language supports the inclusion of unclaimed cultural items as well as human remains. Section 3 (b) of the Act addresses the disposition of "unclaimed human remains and objects" and requires the Secretary to publish regulations to carry out their disposition in consultation with the Review Committee, Native American groups, and representatives of museums and the scientific community.

One commenter asked for clarification regarding whether the denial of a request for repatriation implied in § 10.15 (c) would have the effect of stopping the "90-day clock" for expedient repatriation. Museum and Federal agency officials are required to make a decision regarding claims for the disposition or repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony within ninety (90) days of receipt of that claim. Once that decision is made, the museum or Federal agency official has carried out their responsibility. Another commenter recommended that this subsection state specifically that museums and Federal agencies must repatriate within ninety (90)-days of receipt of a written request. Section 10.10 (a)(3) and (b)(2) specify that museums and Federal agencies must repatriate human remains, funerary objects, sacred objects, or objects of cultural patrimony in their collections within ninety (90) days of receipt of a written request for repatriation that satisfies the requirements of § 10.10 (a)(1) and (b)(1), respectively, provided that the repatriation may not occur until at least thirty (30) days after publication of the appropriate notice in the Federal Register.

#### *Section 10.16*

Two commenters recommended changes to the section on the Review Committee. One commenter recommended deletion of the term "culturally unidentifiable human remains" on the grounds that there is no such category recognized under the Act.

Section 8 (b)(5) of the Act requires the Review Committee to compile an inventory of culturally unidentifiable human remains and recommend specific actions for developing a process for disposition of such human remains. Another commenter recommended specifying the criteria to be used by the Review Committee in resolving disputes. One commenter requested clarification as to the "arbitrator" for disputes arising from the Act. The Review Committee has established its own guidelines for facilitating the resolution of disputes that include both procedures and criteria. Copies of these procedures are available from the Department of the Interior through the Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service.

#### Section 10.17

Three commenters recommended changes to the section on dispute resolution. One commenter recommended strengthening the section to provide a realistic and definitive forum for resolving problems. Another commenter recommended including criteria to be used by the Review Committee in resolving disputes. A third commenter recommended that appropriate time frames should be established for Review Committee comments concerning disputes. The Review Committee has established its own guidelines for facilitating the resolution of disputes that include both procedures and criteria. Copies of these procedures are available from the Department of the Interior through the Departmental Consulting Archeologist, Archeological Assistance Division, National Park Service.

#### Appendix A

Four commenters recommended changes to the sample summary. Two commenters recommended narrowing the focus of the summary from collections held by a museum which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony to a summary of those specific objects. This proposed text was not changed for reasons previously presented in the discussion of section 10.8.

One commenter objected to the enumeration of sites and objects in the seventh paragraph of the sample summary as being both impractical and impossible. The enumeration of sites and objects in the sample summary are identified clearly as approximations. Further, provision of this type of information to Indian tribes and Native Hawaiian organizations is consistent

with the requirements of section 6 of the Act as clarified in section 10.8 of these regulations.

One commenter objected to the apparently broad access to museum records given Indian tribes in the final paragraph. The sentence in question closely paraphrases section 6 (b)(2) of the Act and has not been changed.

#### Appendix B

This appendix was reserved for a sample inventory of human remains and associated funerary objects. One commenter stressed the importance of developing this section as quickly as possible. A sample inventory of human remains and associated funerary objects currently has been developed in consultation with the Review Committee and distributed to Indian tribes, Native Hawaiian organizations, museums, and Federal agencies. This reserved appendix has been deleted from the rule.

#### Appendix C

The notice of inventory completion in this appendix has been updated with a more recent version and retitled as Appendix B.

#### Appendix D

The Review Committee recommended deleting this section that had been reserved for a sample memorandum of understanding dealing with repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony in Federal collections from the regulations. Guidance regarding such memoranda of understanding will be developed and distributed by the Department of the Interior.

#### Appendix E

The Review Committee recommended deleting this section that had been reserved for a sample memorandum of understanding dealing with intentional excavation on Federal or tribal lands from the regulations. Guidance regarding such memoranda of understanding will be developed and distributed by the Department of the Interior.

Authorship These proposed regulations were prepared by Dr. Francis P. McManamon (Departmental Consulting Archeologist, National Park Service), Dr. C. Timothy McKeown (NAGPRA Program Leader, National Park Service), and Mr. Lars Hanslin (Senior Attorney, Office of the Solicitor), in consultation with the Native American Graves Protection and Repatriation Review Committee as directed by section 8 (c)(7) of the Act.

#### Compliance with the Paperwork Reduction Act

The collections of information contained in this rule have been approved by the Office of Management and Budget as required by 44 U.S.C. 3501 *et seq* (OMB control number 1024-0144). Public reporting burden for this collection of information is expected to average 100 hours for the exchange of summary/inventory information between a museum or Federal agency and an Indian tribe or Native Hawaiian organization and six hours per response for the notification to the Secretary, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collected information. Two commenters questioned use of an average amount of time to characterize the expected burden. While the amount of time required to complete the reporting requirements of these regulations will vary between institutions depending on the size and nature of their collections and the comprehensiveness of their documentation, review of summaries, inventories, and notices received by the Departmental Consulting Archeologist confirms the accuracy of the previous estimates. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to Information Collection Officer, National Park Service, Box 37127, Washington D.C. 20013 and to the Office of Management and Budget, Paperwork Reduction Project, Washington DC 20503.

#### Compliance with Other Laws

This rule has been reviewed under Executive Order 12866. The final rule implements provisions of the Native American Graves Protection and Repatriation Act of 1990 and addresses the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony. The final rule requires that any museum receiving Federal funds prepare summaries and conduct inventories. These requirements are within professionally accepted standards for museum record keeping consistent with the purposes of such institutions or organizations. Grants have been awarded during FY 1994 and FY 1995 to assist museums in these tasks. Federal agencies will incur costs in two ways: (1) Preparing the summaries and conducting the



inventories; and (2) conducting consultation prior to planned excavations and following inadvertent discoveries on Federal or tribal lands. The Congressional Budget Office estimated costs for summary and inventory activities at between \$5 and \$30 million over a five year period. Many of the actions required of Federal agencies under item (2) are recommended or required by previous legislation—such as the National Historic Preservation Act and the Archaeological Resources Protection Act—and costs for these activities are not expected to increase appreciably, particularly if the Federal agencies are able to coordinate their consultation and review activities as encouraged by these regulations and other guidance documents.

The Department of the Interior certifies that this document does not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

The Department of the Interior has determined that these final regulations meet the applicable standards provided in sections 2(a) and 2(b) of Executive Order 12778.

The Department of the Interior has determined that these final regulations will not have a significant effect on the quality of the human environment under the National Environmental Policy Act (42 U.S.C. 4321–4347). In addition, the Department of the Interior has determined that these final regulations are categorically excluded from the procedural requirements of the National Environmental Policy Act by Departmental regulations in 516 DM 2. As such, neither an Environmental Assessment nor an Environmental Impact statement has been prepared.

#### List of Subjects in 43 CFR Part 10

Administrative practice and procedure, Graves, Hawaiian Natives, Historic preservation, Indians—Claims, Indians—lands, Museums, Public lands, Reporting and record keeping requirements.

For the reasons set out in the preamble, 43 CFR Subtitle A is amended by adding Part 10 to read as follows:

### PART 10—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION REGULATIONS

#### Subpart A—Introduction

Sec.

10.1 Purpose and applicability.

10.2 Definitions.

#### Subpart B—Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony from Federal or Tribal Lands

- 10.3 Intentional archeological excavations.
- 10.4 Inadvertent discoveries.
- 10.5 Consultation.
- 10.6 Custody.
- 10.7 Disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony. [Reserved]

#### Subpart C—Human Remains, Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony in Museums and Federal Collections

- 10.8 Summaries.
- 10.9 Inventories.
- 10.10 Repatriation.
- 10.11 Disposition of culturally unidentifiable human remains. [Reserved]
- 10.12 Civil penalties. [Reserved]
- 10.13 Future applicability. [Reserved]

#### Subpart D—General

- 10.14 Lineal descent and cultural affiliation.
  - 10.15 Repatriation limitations and remedies.
  - 10.16 Review committee.
  - 10.17 Dispute resolution.
- Appendix-A to Part 10—Sample summary.
- Appendix-B to Part 10—Sample notice of inventory completion.

Authority: 25 U.S.C. 3001 *et seq.*

#### Subpart A—Introduction

##### § 10.1 Purpose and applicability.

(a) *Purpose.* These regulations carry out provisions of the Native American Graves Protection and Repatriation Act of 1990 (Pub.L. 101–601; 25 U.S.C. 3001–3013; 104 Stat. 3048–3058). These regulations develop a systematic process for determining the rights of lineal descendants and Indian tribes and Native Hawaiian organizations to certain Native American human remains, funerary objects, sacred objects, or objects of cultural patrimony with which they are affiliated.

(b) *Applicability.* (1) These regulations pertain to the identification and appropriate disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are:

- (i) In Federal possession or control; or
- (ii) In the possession or control of any institution or State or local government receiving Federal funds; or
- (iii) Excavated intentionally or discovered inadvertently on Federal or tribal lands.

(2) These regulations apply to human remains, funerary objects, sacred objects, or objects of cultural patrimony which are indigenous to Alaska, Hawaii

and the continental United States, but not to territories of the United States.

(3) Throughout these regulations are decision points which determine their applicability in particularly circumstances, e.g., a decision as to whether a museum “controls” human remains and cultural objects within the meaning of the regulations, or, a decision as to whether an object is a “human remain,” “funerary object,” “sacred object,” or “object of cultural patrimony” within the meaning of the regulations. Any final determination making the Act or these regulations inapplicable is subject to review pursuant to section 15 of the Act.

##### § 10.2 Definitions.

In addition to the term Act, which means the Native American Graves Protection and Repatriation Act as described above, definitions used in these regulations are grouped in seven classes: Parties required to comply with these regulations; Parties with standing to make claims under these regulations; Parties responsible for implementing these regulations; Objects covered by these regulations; Cultural affiliation; Types of land covered by these regulations; and Procedures required by these regulations.

(a) *Who must comply with these regulations?* (1) *Federal agency* means any department, agency, or instrumentality of the United States. Such term does not include the Smithsonian Institution as specified in section 2 (4) of the Act.

(2) *Federal agency official* means any individual authorized by delegation of authority within a Federal agency to perform the duties relating to these regulations.

(3) *Museum* means any institution or State or local government agency (including any institution of higher learning) that has possession of, or control over, human remains, funerary objects, sacred objects, or objects of cultural patrimony and receives Federal funds.

(i) The term “*possession*” means having physical custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony with a sufficient legal interest to lawfully treat the objects as part of its collection for purposes of these regulations. Generally, a museum or Federal agency would not be considered to have possession of human remains, funerary objects, sacred objects, or objects of cultural patrimony on loan from another individual, museum, or Federal agency.

(ii) The term “*control*” means having a legal interest in human remains

funerary objects, sacred objects, or objects of cultural patrimony sufficient to lawfully permit the museum or Federal agency to treat the objects as part of its collection for purposes of these regulations whether or not the human remains, funerary objects, sacred objects or objects of cultural patrimony are in the physical custody of the museum or Federal agency. Generally, a museum or Federal agency that has loaned human remains, funerary objects, sacred objects, or objects of cultural patrimony to another individual, museum, or Federal agency is considered to retain control of those human remains, funerary objects, sacred objects, or objects of cultural patrimony for purposes of these regulations.

(iii) The phrase "receives Federal funds" means the receipt of funds by a museum after November 16, 1990, from a Federal agency through any grant, loan, contract (other than a procurement contract), or other arrangement by which a Federal agency makes or made available to a museum aid in the form of funds. Federal funds provided for any purpose that are received by a larger entity of which the museum is a part are considered Federal funds for the purposes of these regulations. For example, if a museum is a part of a State or local government or a private university and the State or local government or private university receives Federal funds for any purpose, the museum is considered to receive Federal funds for the purpose of these regulations.

(4) *Museum official* means the individual within a museum designated as being responsible for matters relating to these regulations.

(5) *Person* means an individual, partnership, corporation, trust, institution, association, or any other private entity, or, any official, employee, agent, department, or instrumentality of the United States, or of any Indian tribe or Native Hawaiian organization, or of any State or political subdivision thereof that discovers human remains, funerary objects, sacred objects or objects of cultural patrimony on Federal or tribal lands after November 16, 1990.

(b) *Who has standing to make a claim under these regulations?*

(1) *Lineal descendant* means an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization or by the common law system of descentance to a known Native American individual whose remains, funerary objects, or sacred objects are being claimed under these regulations.

(2) *Indian tribe* means any tribe, band, nation, or other organized Indian group or community of Indians, including any Alaska Native village or corporation as defined in or established by the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. The Secretary will distribute a list of Indian tribes for the purposes of carrying out this statute through the Departmental Consulting Archeologist.

(3)(i) *Native Hawaiian organization* means any organization that:

(A) Serves and represents the interests of Native Hawaiians;

(B) Has as a primary and stated purpose the provision of services to Native Hawaiians; and

(C) Has expertise in Native Hawaiian affairs.

(ii) The term *Native Hawaiian* means any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii. Such organizations must include the Office of Hawaiian Affairs and *Hui Mālama I Nā Kūpuna 'O Hawai'i Nei*.

(4) *Indian tribe official* means the principal leader of an Indian tribe or Native Hawaiian organization or the individual officially designated by the governing body of an Indian tribe or Native Hawaiian organization or as otherwise provided by tribal code, policy, or established procedure as responsible for matters relating to these regulations.

(c) *Who is responsible for carrying out these regulations?*

(1) *Secretary* means the Secretary of the Interior.

(2) *Review Committee* means the advisory committee established pursuant to section 8 of the Act.

(3) *Departmental Consulting Archeologist* means the official of the Department of the Interior designated by the Secretary as responsible for the administration of matters relating to these regulations. Communications to the Departmental Consulting Archeologist should be addressed to:

Departmental Consulting Archeologist  
National Park Service,  
PO Box 37127  
Washington, DC 20013-7127.

(d) *What objects are covered by these regulations?* The Act covers four types of Native American objects. The term *Native American* means of, or relating to, a tribe, people, or culture indigenous to the United States, including Alaska and Hawaii:

(1) *Human remains* means the physical remains of a human body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, human remains incorporated into a funerary object, sacred object, or object of cultural patrimony, as defined below, must be considered as part of that item.

(2) *Funerary objects* means items that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains. Funerary objects must be identified by a preponderance of the evidence as having been removed from a specific burial site of an individual affiliated with a particular Indian tribe or Native Hawaiian organization or as being related to specific individuals or families or to known human remains. The term *burial site* means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which as part of the death rite or ceremony of a culture, individual human remains were deposited, and includes rock cairns or pyres which do not fall within the ordinary definition of grave site. For purposes of completing the summary requirements in § 10.8 and the inventory requirements of § 10.9:

(i) *Associated funerary objects* means those funerary objects for which the human remains with which they were placed intentionally are also in the possession or control of a museum or Federal agency. Associated funerary objects also means those funerary objects that were made exclusively for burial purposes or to contain human remains.

(ii) *Unassociated funerary objects* means those funerary objects for which the human remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency. Objects that were displayed with individual human remains as part of a death rite or ceremony of a culture and subsequently returned or distributed according to traditional custom to living descendants or other individuals are not considered unassociated funerary objects.

(3) *Sacred objects* means items that are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their

present-day adherents. While many items, from ancient pottery sherds to arrowheads, might be imbued with sacredness in the eyes of an individual, these regulations are specifically limited to objects that were devoted to a traditional Native American religious ceremony or ritual and which have religious significance or function in the continued observance or renewal of such ceremony. The term *traditional religious leader* means a person who is recognized by members of an Indian tribe or Native Hawaiian organization as:

(i) Being responsible for performing cultural duties relating to the ceremonial or religious traditions of that Indian tribe or Native Hawaiian organization, or

(ii) Exercising a leadership role in an Indian tribe or Native Hawaiian organization based on the tribe or organization's cultural, ceremonial, or religious practices.

(4) *Objects of cultural patrimony* means items having ongoing historical, traditional, or cultural importance central to the Indian tribe or Native Hawaiian organization itself, rather than property owned by an individual tribal or organization member. These objects are of such central importance that they may not be alienated, appropriated, or conveyed by any individual tribal or organization member. Such objects must have been considered inalienable by the culturally affiliated Indian tribe or Native Hawaiian organization at the time the object was separated from the group. Objects of cultural patrimony include items such as Zuni War Gods, the Confederacy Wampum Belts of the Iroquois, and other objects of similar character and significance to the Indian tribe or Native Hawaiian organization as a whole.

(e) *What is cultural affiliation?* Cultural affiliation means that there is a relationship of shared group identity which can reasonably be traced historically or prehistorically between members of a present-day Indian tribe or Native Hawaiian organization and an identifiable earlier group. Cultural affiliation is established when the preponderance of the evidence — based on geographical, kinship, biological, archeological, linguistic, folklore, oral tradition, historical evidence, or other information or expert opinion — reasonably leads to such a conclusion.

(f) *What types of lands to the excavation and discovery provisions of these regulations apply to?*

(1) *Federal lands* means any land other than tribal lands that are controlled or owned by the United States Government, including lands

selected by but not yet conveyed to Alaska Native Corporations and groups organized pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.). United States "control," as used in this definition, refers to those lands not owned by the United States but in which the United States has a legal interest sufficient to permit it to apply these regulations without abrogating the otherwise existing legal rights of a person.

(2) *Tribal lands* means all lands which:

(i) Are within the exterior boundaries of any Indian reservation including, but not limited to, allotments held in trust or subject to a restriction on alienation by the United States; or

(ii) Comprise dependent Indian communities as recognized pursuant to 18 U.S.C. 1151; or

(iii) Are administered for the benefit of Native Hawaiians pursuant to the Hawaiian Homes Commission Act of 1920 and section 4 of the Hawaiian Statehood Admission Act (Pub.L. 86-3; 73 Stat. 6).

(iv) Actions authorized or required under these regulations will not apply to tribal lands to the extent that any action would result in a taking of property without compensation within the meaning of the Fifth Amendment of the United States Constitution.

(g) *What procedures are required by these regulations?*

(1) *Summary* means the written description of collections that may contain unassociated funerary objects, sacred objects, and objects of cultural patrimony required by § 10.8 of these regulations.

(2) *Inventory* means the item-by-item description of human remains and associated funerary objects.

(3) *Intentional excavation* means the planned archeological removal of human remains, funerary objects, sacred objects, or objects of cultural patrimony found under or on the surface of Federal or tribal lands pursuant to section 3 (c) of the Act.

(4) *Inadvertent discovery* means the unanticipated encounter or detection of human remains, funerary objects, sacred objects, or objects of cultural patrimony found under or on the surface of Federal or tribal lands pursuant to section 3 (d) of the Act.

#### **Subpart B—Human Remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal or Tribal Lands**

##### **§ 10.3 Intentional archeological excavations.**

(a) *General.* This section carries out section 3 (c) of the Act regarding the

custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are excavated intentionally from Federal or tribal lands after November 16, 1990.

(b) *Specific Requirements.* These regulations permit the intentional excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal or tribal lands only if:

(1) The objects are excavated or removed following the requirements of the Archaeological Resources Protection Act (ARPA) (16 U.S.C. 470aa et seq.) and its implementing regulations. Regarding private lands within the exterior boundaries of any Indian reservation, the Bureau of Indian Affairs (BIA) will serve as the issuing agency for any permits required under the Act. For BIA procedures for obtaining such permits, see 25 CFR part 262 or contact the Deputy Commissioner of Indian Affairs, Department of the Interior, Washington, DC 20240. Regarding lands administered for the benefit of Native Hawaiians pursuant to the Hawaiian Homes Commission Act, 1920, and section 4 of Pub. L. 86-3, the Department of Hawaiian Home Lands will serve as the issuing agency for any permits required under the Act, with the Hawaii State Historic Preservation Division of the Department of Land and Natural Resources acting in an advisory capacity for such issuance. Procedures and requirements for issuing permits will be consistent with those required by the ARPA and its implementing regulations;

(2) The objects are excavated after consultation with or, in the case of tribal lands, consent of, the appropriate Indian tribe or Native Hawaiian organization pursuant to § 10.5;

(3) The disposition of the objects is consistent with their custody as described in § 10.6; and

(4) Proof of the consultation or consent is shown to the Federal agency official or other agency official responsible for the issuance of the required permit.

(c) *Procedures.* (1) The Federal agency official must take reasonable steps to determine whether a planned activity may result in the excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony from Federal lands. Prior to issuing any approvals or permits for activities, the Federal agency official must notify in writing the Indian tribes or Native Hawaiian organizations that are likely to be culturally affiliated with any human remains, funerary objects, sacred objects, or objects of cultural patrimony that may be excavated. The Federal

agency official must also notify any present-day Indian tribe which aboriginally occupied the area of the planned activity and any other Indian tribes or Native Hawaiian organizations that the Federal agency official reasonably believes are likely to have a cultural relationship to the human remains, funerary objects, sacred objects, or objects of cultural patrimony that are expected to be found. The notice must be in writing and describe the planned activity, its general location, the basis upon which it was determined that human remains, funerary objects, sacred objects, or objects of cultural patrimony may be excavated, and, the basis for determining likely custody pursuant to § 10.6. The notice must also propose a time and place for meetings or consultations to further consider the activity, the Federal agency's proposed treatment of any human remains, funerary objects, sacred objects, or objects of cultural patrimony that may be excavated, and the proposed disposition of any excavated human remains, funerary objects, sacred objects, or objects of cultural patrimony. Written notification should be followed up by telephone contact if there is no response in 15 days. Consultation must be conducted pursuant to § 10.5.

(2) Following consultation, the Federal agency official must complete a written plan of action (described in § 10.5(e)) and execute the actions called for in it.

(3) If the planned activity is also subject to review under section 106 of the National Historic Preservation Act (16 U.S.C. 470 *et seq.*), the Federal agency official should coordinate consultation and any subsequent agreement for compliance conducted under that Act with the requirements of § 10.3 (c)(2) and § 10.5. Compliance with these regulations does not relieve Federal agency officials of requirements to comply with section 106 of the National Historic Preservation Act (16 U.S.C. 470 *et seq.*).

(4) If an Indian tribe or Native Hawaiian organization receives notice of a planned activity or otherwise becomes aware of a planned activity that may result in the excavation of human remains, funerary objects, sacred objects, or objects of cultural patrimony on tribal lands, the Indian tribe or Native Hawaiian organization may take appropriate steps to:

(i) Ensure that the human remains, funerary objects, sacred objects, or objects of cultural patrimony are excavated or removed following § 10.3 (b), and

(ii) make certain that the disposition of any human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently as a result of the planned activity are carried out following § 10.6.

#### § 10.4 Inadvertent discoveries.

(a) *General.* This section carries out section 3 (d) of the Act regarding the custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony that are discovered inadvertently on Federal or tribal lands after November 16, 1990.

(b) *Discovery.* Any person who knows or has reason to know that he or she has discovered inadvertently human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal or tribal lands after November 16, 1990, must provide immediate telephone notification of the inadvertent discovery, with written confirmation, to the responsible Federal agency official with respect to Federal lands, and, with respect to tribal lands, to the responsible Indian tribe official. The requirements of these regulations regarding inadvertent discoveries apply whether or not an inadvertent discovery is duly reported. If written confirmation is provided by certified mail, the return receipt constitutes evidence of the receipt of the written notification by the Federal agency official or Indian tribe official.

(c) *Ceasing activity.* If the inadvertent discovery occurred in connection with an on-going activity on Federal or tribal lands, the person, in addition to providing the notice described above, must stop the activity in the area of the inadvertent discovery and make a reasonable effort to protect the human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently.

(d) *Federal lands.* (1) As soon as possible, but no later than three (3) working days after receipt of the written confirmation of notification with respect to Federal lands described in § 10.4 (b), the responsible Federal agency official must:

(i) Certify receipt of the notification;

(ii) Take immediate steps, if necessary, to further secure and protect inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony, including, as appropriate, stabilization or covering;

(iii) Notify by telephone, with written confirmation, the Indian tribes or Native Hawaiian organizations likely to be culturally affiliated with the inadvertently discovered human

remains, funerary objects, sacred objects, or objects of cultural patrimony, the Indian tribe or Native Hawaiian organization which aboriginally occupied the area, and any other Indian tribe or Native Hawaiian organization that is reasonably known to have a cultural relationship to the human remains, funerary objects, sacred objects, or objects of cultural patrimony. This notification must include pertinent information as to kinds of human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently, their condition, and the circumstances of their inadvertent discovery;

(iv) Initiate consultation on the inadvertent discovery pursuant to § 10.5;

(v) If the human remains, funerary objects, sacred objects, or objects of cultural patrimony must be excavated or removed, follow the requirements and procedures in § 10.3 (b) of these regulations; and

(vi) Ensure that disposition of all inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony is carried out following § 10.6.

(2) *Resumption of activity.* The activity that resulted in the inadvertent discovery may resume thirty (30) days after certification by the notified Federal agency of receipt of the written confirmation of notification of inadvertent discovery if the resumption of the activity is otherwise lawful. The activity may also resume, if otherwise lawful, at any time that a written, binding agreement is executed between the Federal agency and the affiliated Indian tribes or Native Hawaiian organizations that adopt a recovery plan for the excavation or removal of the human remains, funerary objects, sacred objects, or objects of cultural patrimony following § 10.3 (b)(1) of these regulations. The disposition of all human remains, funerary objects, sacred objects, or objects of cultural patrimony must be following § 10.6.

(e) *Tribal lands.* (1) As soon as possible, but no later than three (3) working days after receipt of the written confirmation of notification with respect to Tribal lands described in § 10.4 (b), the responsible Indian tribe official may:

(i) Certify receipt of the notification;

(ii) Take immediate steps, if necessary, to further secure and protect inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony, including, as appropriate, stabilization or covering;

(iii) If the human remains, funerary objects, sacred objects, or objects of

cultural patrimony must be excavated or removed, follow the requirements and procedures in § 10.3 (b) of these regulations; and

(iv) Ensure that disposition of all inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony is carried out following § 10.6.

(2) Resumption of Activity. The activity that resulted in the inadvertent discovery may resume if otherwise lawful after thirty (30) days of the certification of the receipt of notification by the Indian tribe or Native Hawaiian organization.

(f) *Federal agency officials.* Federal agency officials should coordinate their responsibilities under this section with their emergency discovery responsibilities under section 106 of the National Historical Preservation Act (16 U.S.C. 470 (f) *et seq.*), 36 CFR 800.11 or section 3 (a) of the Archeological and Historic Preservation Act (16 U.S.C. 469 (a-c)). Compliance with these regulations does not relieve Federal agency officials of the requirement to comply with section 106 of the National Historical Preservation Act (16 U.S.C. 470 (f) *et seq.*), 36 CFR 800.11 or section 3 (a) of the Archeological and Historic Preservation Act (16 U.S.C. 469 (a-c)).

(g) *Notification requirement in authorizations.* All Federal authorizations to carry out land use activities on Federal lands or tribal lands, including all leases and permits, must include a requirement for the holder of the authorization to notify the appropriate Federal or tribal official immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony pursuant to § 10.4 (b) of these regulations.

#### § 10.5 Consultation.

Consultation as part of the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal lands must be conducted in accordance with the following requirements.

(a) *Consulting parties.* Federal agency officials must consult with known lineal descendants and Indian tribe officials:

(1) from Indian tribes on whose aboriginal lands the planned activity will occur or where the inadvertent discovery has been made; and

(2) from Indian tribes and Native Hawaiian organizations that are, or are likely to be, culturally affiliated with the human remains, funerary objects, sacred objects, or objects of cultural patrimony; and

(3) from Indian tribes and Native Hawaiian organizations that have a demonstrated cultural relationship with the human remains, funerary objects, sacred objects, or objects of cultural patrimony.

(b) *Initiation of consultation.* (1) Upon receiving notice of, or otherwise becoming aware of, an inadvertent discovery or planned activity that has resulted or may result in the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony on Federal lands, the responsible Federal agency official must, as part of the procedures described in § 10.3 and § 10.4, take appropriate steps to identify the lineal descendant, Indian tribe, or Native Hawaiian organization entitled to custody of the human remains, funerary objects, sacred objects, or objects of cultural patrimony pursuant to § 10.6 and § 10.14. The Federal agency official shall notify in writing:

(i) any known lineal descendants of the individual whose remains, funerary objects, sacred objects, or objects of cultural patrimony have been or are likely to be excavated intentionally or discovered inadvertently; and

(ii) the Indian tribes or Native Hawaiian organizations that are likely to be culturally affiliated with the human remains, funerary objects, sacred objects, or objects of cultural patrimony that have been or are likely to be excavated intentionally or discovered inadvertently; and

(iii) the Indian tribes which aboriginally occupied the area in which the human remains, funerary objects, sacred objects, or objects of cultural patrimony have been or are likely to be excavated intentionally or discovered inadvertently; and

(iv) the Indian tribes or Native Hawaiian organizations that have a demonstrated cultural relationship with the human remains, funerary objects, sacred objects, or objects of cultural patrimony that have been or are likely to be excavated intentionally or discovered inadvertently.

(2) The notice must propose a time and place for meetings or consultation to further consider the intentional excavation or inadvertent discovery, the Federal agency's proposed treatment of the human remains, funerary objects, sacred objects, or objects of cultural patrimony that may be excavated, and the proposed disposition of any intentionally excavated or inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony.

(3) The consultation must seek to identify traditional religious leaders

who should also be consulted and seek to identify, where applicable, lineal descendants and Indian tribes or Native Hawaiian organizations affiliated with the human remains, funerary objects, sacred objects, or objects of cultural patrimony.

(c) *Provision of information.* During the consultation process, as appropriate, the Federal agency official must provide the following information in writing to the lineal descendants and the officials of Indian tribes or Native Hawaiian organizations that are or are likely to be affiliated with the human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands:

(1) A list of all lineal descendants and Indian tribes or Native Hawaiian organizations that are being, or have been, consulted regarding the particular human remains, funerary objects, sacred objects, or objects of cultural patrimony;

(2) An indication that additional documentation used to identify affiliation will be supplied upon request.

(d) *Requests for information.* During the consultation process, Federal agency officials must request, as appropriate, the following information from Indian tribes or Native Hawaiian organizations that are, or are likely to be, affiliated pursuant to § 10.6 (a) with intentionally excavated or inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony:

(1) Name and address of the Indian tribe official to act as representative in consultations related to particular human remains, funerary objects, sacred objects, or objects of cultural patrimony;

(2) Names and appropriate methods to contact lineal descendants who should be contacted to participate in the consultation process;

(3) Recommendations on how the consultation process should be conducted; and

(4) Kinds of cultural items that the Indian tribe or Native Hawaiian organization considers likely to be unassociated funerary objects, sacred objects, or objects of cultural patrimony.

(e) *Written plan of action.* Following consultation, the Federal agency official must prepare, approve, and sign a written plan of action. A copy of this plan of action must be provided to the lineal descendants, Indian tribes and Native Hawaiian organizations involved. Lineal descendants and Indian tribe official(s) may sign the written plan of action as appropriate. At a minimum, the plan of action must comply with § 10.3 (b)(1) and document the following:

(1) The kinds of objects to be considered as cultural items as defined in § 10.2 (b);

(2) The specific information used to determine custody pursuant to § 10.6;

(3) The planned treatment, care, and handling of human remains, funerary objects, sacred objects, or objects of cultural patrimony recovered;

(4) The planned archeological recording of the human remains, funerary objects, sacred objects, or objects of cultural patrimony recovered;

(5) The kinds of analysis planned for each kind of object;

(6) Any steps to be followed to contact Indian tribe officials at the time of intentional excavation or inadvertent discovery of specific human remains, funerary objects, sacred objects, or objects of cultural patrimony;

(7) The kind of traditional treatment, if any, to be afforded the human remains, funerary objects, sacred objects, or objects of cultural patrimony by members of the Indian tribe or Native Hawaiian organization;

(8) The nature of reports to be prepared; and

(9) The disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony following § 10.6.

(f) *Comprehensive agreements.* Whenever possible, Federal agencies should enter into comprehensive agreements with Indian tribes or Native Hawaiian organizations that are affiliated with specific human remains, funerary objects, sacred objects, or objects of cultural patrimony and have claimed, or are likely to claim, those human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands. These agreements should address all Federal agency land management activities that could result in the intentional excavation or inadvertent discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony. Consultation should lead to the establishment of a process for effectively carrying out the requirements of these regulations regarding standard consultation procedures, the determination of custody consistent with procedures in this section and § 10.6, and the treatment and disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony. The signed agreements, or the correspondence related to the effort to reach agreements, must constitute proof of consultation as required by these regulations.

(g) *Traditional religious leaders.* The Federal agency official must be

cognizant that Indian tribe officials may need to confer with traditional religious leaders prior to making recommendations. Indian tribe officials are under no obligation to reveal the identity of traditional religious leaders.

#### § 10.6 Custody.

(a) *Priority of custody.* This section carries out section 3 (a) of the Act, subject to the limitations of § 10.15, regarding the custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal or tribal lands after November 16, 1990. For the purposes of this section, custody means ownership or control of human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently in Federal or tribal lands after November 16, 1990. Custody of these human remains, funerary objects, sacred objects, or objects of cultural patrimony is, with priority given in the order listed:

(1) In the case of human remains and associated funerary objects, in the lineal descendant of the deceased individual as determined pursuant to § 10.14 (b);

(2) In cases where a lineal descendant cannot be ascertained or no claim is made, and with respect to unassociated funerary objects, sacred objects, and objects of cultural patrimony:

(i) In the Indian tribe on whose tribal land the human remains, funerary objects, sacred objects, or objects of cultural patrimony were discovered inadvertently;

(ii) In the Indian tribe or Native Hawaiian organization that has the closest cultural affiliation with the human remains, funerary objects, sacred objects, or objects of cultural patrimony as determined pursuant to § 10.14 (c); or

(iii) In circumstances in which the cultural affiliation of the human remains, funerary objects, sacred objects, or objects of cultural patrimony cannot be ascertained and the objects were discovered inadvertently on Federal land that is recognized by a final judgment of the Indian Claims Commission or the United States Court of Claims as the aboriginal land of an Indian tribe:

(A) In the Indian tribe aboriginally occupying the Federal land on which the human remains, funerary objects, sacred objects, or objects of cultural patrimony were discovered inadvertently; or

(B) If it can be shown by a preponderance of the evidence that a different Indian tribe or Native Hawaiian organization has a stronger

cultural relationship with the human remains, funerary objects, sacred objects, or objects of cultural patrimony, in the Indian tribe or Native Hawaiian organization that has the strongest demonstrated relationship with the objects.

(b) Custody of human remains, funerary objects, sacred objects, or objects of cultural patrimony and other provisions of the Act apply to all intentional excavations and inadvertent discoveries made after November 16, 1990, including those made before the effective date of these regulations.

(c) *Final notice, claims and disposition with respect to Federal lands.* Upon determination of the lineal descendant, Indian tribe, or Native Hawaiian organization that under these regulations appears to be entitled to custody of particular human remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on Federal lands, the responsible Federal agency official must, subject to the notice required herein and the limitations of § 10.15, transfer custody of the objects to the lineal descendant, Indian tribe, or Native Hawaiian organization following appropriate procedures, which must respect traditional customs and practices of the affiliated Indian tribes or Native Hawaiian organizations in each instance. Prior to any such disposition by a Federal agency official, the Federal agency official must publish general notices of the proposed disposition in a newspaper of general circulation in the area in which the human remains, funerary objects, sacred objects, or objects of cultural patrimony were excavated intentionally or discovered inadvertently and, if applicable, in a newspaper of general circulation in the area(s) in which affiliated Indian tribes or Native Hawaiian organizations members now reside. The notice must provide information as to the nature and affiliation of the human remains, funerary objects, sacred objects, or objects of cultural patrimony and solicit further claims to custody. The notice must be published at least two (2) times at least a week apart, and the transfer must not take place until at least thirty (30) days after the publication of the second notice to allow time for any additional claimants to come forward. If additional claimants do come forward and the Federal agency official cannot clearly determine which claimant is entitled to custody, the Federal agency must not transfer custody of the objects until such time as the proper recipient is determined pursuant to these

regulations. The Federal agency official must send a copy of the notice and information on when and in what newspaper(s) the notice was published to the Departmental Consulting Archeologist.

**§ 10.7 Disposition of unclaimed human remains, funerary objects, sacred objects, or objects of cultural patrimony. [Reserved]**

**Subpart C—Human remains, funerary objects, sacred objects, or objects of cultural patrimony in museums and Federal collections**

**§ 10.8 Summaries.**

(a) *General.* This section carries out section 6 of the Act. Under section 6 of the Act, each museum or Federal agency that has possession or control over collections which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony must complete a summary of these collections based upon available information held by the museum or Federal agency. The purpose of the summary is to provide information about the collections to lineal descendants and culturally affiliated Indian tribes or Native Hawaiian organizations that may wish to request repatriation of such objects. The summary serves in lieu of an object-by-object inventory of these collections, although, if an inventory is available, it may be substituted. Federal agencies are responsible for ensuring that these requirements are met for all collections from their lands or generated by their actions whether the collections are held by the Federal agency or by a non-Federal institution.

(b) *Contents of summaries.* For each collection or portion of a collection, the summary must include: an estimate of the number of objects in the collection or portion of the collection; a description of the kinds of objects included; reference to the means, date(s), and location(s) in which the collection or portion of the collection was acquired, where readily ascertainable; and information relevant to identifying lineal descendants, if available, and cultural affiliation.

(c) *Completion.* Summaries must be completed not later than November 16, 1993.

(d) *Consultation.* (1) Consulting parties. Museum and Federal agency officials must consult with Indian tribe officials and traditional religious leaders:

(A) From whose tribal lands unassociated funerary objects, sacred objects, or objects of cultural patrimony originated:

(B) That are, or are likely to be, culturally affiliated with unassociated funerary objects, sacred objects, or objects of cultural patrimony; and

(C) From whose aboriginal lands unassociated funerary objects, sacred objects, or objects of cultural patrimony originated.

(2) Initiation of consultation. Museum and Federal agency officials must begin summary consultation no later than the completion of the summary process. Consultation may be initiated with a letter, but should be followed up by telephone or face-to-face dialogue with the appropriate Indian tribe official.

(3) Provision of information. During summary consultation, museum and Federal agency officials must provide copies of the summary to lineal descendants, when known, and to officials and traditional religious leaders representing Indian tribes or Native Hawaiian organizations that are, or are likely to be, culturally affiliated with the cultural items. A copy of the summary must also be provided to the Departmental Consulting Archeologist. Upon request by lineal descendants or Indian tribe officials, museum and Federal agency officials must provide lineal descendants, Indian tribe officials and traditional religious leaders with access to records, catalogues, relevant studies, or other pertinent data for the limited purposes of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of objects covered by the summary. Access to this information may be requested at any time and must be provided in a reasonable manner and must be provided access to such materials.

(4) Requests for information. During the summary consultation, museum and Federal agency officials must request, as appropriate, the following information from Indian tribes and Native Hawaiian organizations that are, or are likely to be, culturally affiliated with their collections:

(i) Name and address of the Indian tribe official to act as representative in consultations related to particular objects;

(ii) Recommendations on how the consultation process should be conducted, including:

(A) Names and appropriate methods to contact any lineal descendants, if known, of individuals whose unassociated funerary objects or sacred objects are included in the summary;

(B) Names and appropriate methods to contact any traditional religious leaders that the Indian tribe or Native Hawaiian organization thinks should be consulted regarding the collections; and

(iii) Kinds of cultural items that the Indian tribe or Native Hawaiian organization considers to be sacred objects or objects of cultural patrimony.

(e) Museum and Federal agency officials must document the following information regarding unassociated funerary objects, sacred objects, and objects of cultural patrimony in their collections and must use this documentation in determining the individuals, Indian tribes, and Native Hawaiian organizations with which they are affiliated:

(1) Accession and catalogue entries;

(2) Information related to the acquisition of unassociated funerary object, sacred object, or object of cultural patrimony, including:

(i) the name of the person or organization from whom the object was obtained, if known;

(ii) The date of acquisition,

(iii) The place each object was acquired, i.e., name or number of site, county, state, and Federal agency administrative unit, if applicable; and

(iv) The means of acquisition, i.e., gift, purchase, or excavation;

(3) A description of each unassociated funerary object, sacred object, or object of cultural patrimony, including dimensions, materials, and photographic documentation, if appropriate, and the antiquity of such objects, if known;

(4) A summary of the evidence used to determine the cultural affiliation of the unassociated funerary objects, sacred objects, or objects of cultural patrimony pursuant to § 10.14 of these regulations.

(f) Notification. Repatriation of unassociated funerary objects, sacred objects, or objects of cultural patrimony to lineal descendants, culturally affiliated Indian tribes, or Native Hawaiian organizations as determined pursuant to § 10.10 (a), must not proceed prior to submission of a notice of intent to repatriate to the Departmental Consulting Archeologist, and publication of the notice of intent to repatriate in the Federal Register. The notice of intent to repatriate must describe the unassociated funerary objects, sacred objects, or objects of cultural patrimony being claimed in sufficient detail so as to enable other individuals, Indian tribes or Native Hawaiian organizations to determine their interest in the claimed objects. It must include information that identifies each claimed unassociated funerary object, sacred object, or object of cultural patrimony and the circumstances surrounding its acquisition, and describes the objects that are clearly identifiable as to cultural

affiliation. It must also describe the objects that are not clearly identifiable as being culturally affiliated with a particular Indian tribe or Native Hawaiian organization, but which, given the totality of circumstances surrounding acquisition of the objects, are likely to be culturally affiliated with a particular Indian tribe or Native Hawaiian organization. The Departmental Consulting Archeologist must publish the notice of intent to repatriate in the Federal Register. Repatriation may not occur until at least thirty (30) days after publication of the notice of intent to repatriate in the Federal Register.

#### § 10.9 Inventories.

(a) *General.* This section carries out section 5 of the Act. Under section 5 of the Act, each museum or Federal agency that has possession or control over holdings or collections of human remains and associated funerary objects must compile an inventory of such objects, and, to the fullest extent possible based on information possessed by the museum or Federal agency, must identify the geographical and cultural affiliation of each item. The purpose of the inventory is to facilitate repatriation by providing clear descriptions of human remains and associated funerary objects and establishing the cultural affiliation between these objects and present-day Indian tribes and Native Hawaiian organizations. Museums and Federal agencies are encouraged to produce inventories first on those portions of their collections for which information is readily available or about which Indian tribes or Native Hawaiian organizations have expressed special interest. Early focus on these parts of collections will result in determinations that may serve as models for other inventories. Federal agencies must ensure that these requirements are met for all collections from their lands or generated by their actions whether the collections are held by the Federal agency or by a non-Federal institution.

(b) *Consultation*—(1) *Consulting parties.* Museum and Federal agency officials must consult with:

(i) Lineal descendants of individuals whose remains and associated funerary objects are likely to be subject to the inventory provisions of these regulations; and

(ii) Indian tribe officials and traditional religious leaders:

(A) From whose tribal lands the human remains and associated funerary objects originated;

(B) That are, or are likely to be, culturally affiliated with human

remains and associated funerary objects; and

(C) From whose aboriginal lands the human remains and associated funerary objects originated.

(2) *Initiation of consultation.* Museum and Federal agency officials must begin inventory consultation as early as possible, no later in the inventory process than the time at which investigation into the cultural affiliation of human remains and associated funerary objects is being conducted. Consultation may be initiated with a letter, but should be followed up by telephone or face-to-face dialogue.

(3) *Provision of information.* During inventory consultation, museums and Federal agency officials must provide the following information in writing to lineal descendants, when known, and to officials and traditional religious leaders representing Indian tribes or Native Hawaiian organizations that are, or are likely to be, culturally affiliated with the human remains and associated funerary objects.

(i) A list of all Indian tribes and Native Hawaiian organizations that are, or have been, consulted regarding the particular human remains and associated funerary objects;

(ii) A general description of the conduct of the inventory;

(iii) The projected time frame for conducting the inventory; and

(iv) An indication that additional documentation used to identify cultural affiliation will be supplied upon request.

(4) *Requests for information.* During the inventory consultation, museum and Federal agency officials must request, as appropriate, the following information from Indian tribes and Native Hawaiian organizations that are, or are likely to be, culturally affiliated with their collections:

(i) Name and address of the Indian tribe official to act as representative in consultations related to particular human remains and associated funerary objects;

(ii) Recommendations on how the consultation process should be conducted, including:

(A) Names and appropriate methods to contact any lineal descendants of individuals whose remains and associated funerary objects are or are likely to be included in the inventory; and

(B) Names and appropriate methods to contact traditional religious leaders who should be consulted regarding the human remains and associated funerary objects.

(iii) Kinds of cultural objects that the Indian tribe or Native Hawaiian

organization reasonably believes to have been made exclusively for burial purposes or to contain human remains of their ancestors.

(c) *Required information.* The following documentation must be included, if available, for all inventories completed by museum or Federal agency officials:

(1) Accession and catalogue entries, including the accession/catalogue entries of human remains with which funerary objects were associated;

(2) Information related to the acquisition of each object, including:

(i) The name of the person or organization from whom the object was obtained, if known;

(ii) The date of acquisition,

(iii) The place each object was acquired, i.e., name or number of site, county, state, and Federal agency administrative unit, if applicable; and

(iv) The means of acquisition, i.e., gift, purchase, or excavation;

(3) A description of each set of human remains or associated funerary object, including dimensions, materials, and, if appropriate, photographic documentation, and the antiquity of such human remains or associated funerary objects, if known;

(4) A summary of the evidence, including the results of consultation, used to determine the cultural affiliation of the human remains and associated funerary objects pursuant to § 10.14 of these regulations.

(d) *Documents.* Two separate documents comprise the inventory:

(1) A listing of all human remains and associated funerary objects that are identified as being culturally affiliated with one or more present-day Indian tribes or Native Hawaiian organizations. The list must indicate for each item or set of items whether cultural affiliation is clearly determined or likely based upon the preponderance of the evidence; and

(2) A listing of all culturally unidentifiable human remains and associated funerary objects for which no culturally affiliated present-day Indian tribe or Native Hawaiian organization can be determined.

(e) *Notification.* (1) If the inventory results in the identification or likely identification of the cultural affiliation of any particular human remains or associated funerary objects with one or more Indian tribes or Native Hawaiian organizations, the museum or Federal agency, not later than six (6) months after completion of the inventory, must send such Indian tribes or Native Hawaiian organizations the inventory of culturally affiliated human remains, including all information required



under § 10.9 (c), and a notice of inventory completion that summarizes the results of the inventory.

(2) The notice of inventory completion must summarize the contents of the inventory in sufficient detail so as to enable the recipients to determine their interest in claiming the inventoried items. It must identify each particular set of human remains or each associated funerary object and the circumstances surrounding its acquisition, describe the human remains or associated funerary objects that are clearly identifiable as to cultural affiliation, and describe the human remains and associated funerary objects that are not clearly identifiable as being culturally affiliated with an Indian tribe or Native Hawaiian organization, but which, given the totality of circumstances surrounding acquisition of the human remains or associated objects, are identified as likely to be culturally affiliated with a particular Indian tribe or Native Hawaiian organization.

(3) If the inventory results in a determination that the human remains are of an identifiable individual, the museum or Federal agency official must convey this information to the lineal descendant of the deceased individual, if known, and to the Indian tribe or Native Hawaiian organization of which the deceased individual was culturally affiliated.

(4) The notice of inventory completion and a copy of the inventory must also be sent to the Departmental Consulting Archeologist. These submissions should be sent in both printed hard copy and electronic formats. Information on the proper format for electronic submission and suggested alternatives for museums and Federal agencies unable to meet these requirements are available from the Departmental Consulting Archeologist.

(5) Upon request by an Indian tribe or Native Hawaiian organization that has received or should have received a notice of inventory completion and a copy of the inventory as described above, a museum or Federal agency must supply additional available documentation to supplement the information provided with the notice. For these purposes, the term documentation means a summary of existing museum or Federal agency records including inventories or catalogues, relevant studies, or other pertinent data for the limited purpose of determining the geographical origin, cultural affiliation, and basic facts surrounding the acquisition and accession of human remains and associated funerary objects.

(6) If the museum or Federal agency official determines that the museum or Federal agency has possession of or control over human remains that cannot be identified as affiliated with a particular individual, Indian tribes or Native Hawaiian organizations, the museum or Federal agency must provide the Department Consulting Archeologist notice of this result and a copy of the list of culturally unidentifiable human remains and associated funerary objects. The Departmental Consulting Archeologist must make this information available to members of the Review Committee. Section 10.11 of these regulations will set forth procedures for disposition of culturally unidentifiable human remains of Native American origin. Museums or Federal agencies must retain possession of such human remains pending promulgation of § 10.11 unless legally required to do otherwise, or recommended to do otherwise by the Secretary. Recommendations regarding the disposition of culturally unidentifiable human remains may be requested prior to final promulgation of § 10.11.

(7) The Departmental Consulting Archeologist must publish notices of inventory completion received from museums and Federal agencies in the Federal Register.

(f) *Completion.* Inventories must be completed not later than November 16, 1995. Any museum that has made a good faith effort to complete its inventory, but which will be unable to complete the process by this deadline, may request an extension of the time requirements from the Secretary. An indication of good faith efforts must include, but not necessarily be limited to, the initiation of active consultation and documentation regarding the collections and the development of a written plan to carry out the inventory process. Minimum components of an inventory plan are: a definition of the steps required; the position titles of the persons responsible for each step; a schedule for carrying out the plan; and a proposal to obtain the requisite funding.

#### § 10.10 Repatriation.

(a) *Unassociated funerary objects, sacred objects, and objects of cultural patrimony—(1) Criteria.* Upon the request of a lineal descendant, Indian tribe, or Native Hawaiian organization, a museum or Federal agency must expeditiously repatriate unassociated funerary objects, sacred objects, or objects of cultural patrimony if all the following criteria are met:

(i) The object meets the definitions established in § 10.2 (b) (4), (5) or (6); and

(ii) The cultural affiliation of the object is established:

(A) through the summary, consultation, and notification procedures in § 10.14 of these regulations; or

(B) by presentation of a preponderance of the evidence by a requesting Indian tribe or Native Hawaiian organization pursuant to section 7(c) of the Act; and

(iii) The known lineal descendant or culturally affiliated Indian tribe or Native Hawaiian organization presents evidence which, if standing alone before the introduction of evidence to the contrary, would support a finding that the museum or Federal agency does not have a right of possession to the objects as defined in § 10.10 (a)(2); and

(iv) The agency or museum is unable to present evidence to the contrary proving that it does have a right of possession as defined below; and

(v) None of the specific exceptions listed in § 10.10 (c) apply.

(2) *Right of possession.* For purposes of this section, "right of possession" means possession obtained with the voluntary consent of an individual or group that had authority of alienation. The original acquisition of a Native American unassociated funerary object, sacred object, or object of cultural patrimony from an Indian tribe or Native Hawaiian organization with the voluntary consent of an individual or group with authority to alienate such object is deemed to give right of possession to that object.

(3) *Notification.* Repatriation must take place within ninety (90) days of receipt of a written request for repatriation that satisfies the requirements of § 10.10 (a)(1) from a culturally affiliated Indian tribe or Native Hawaiian organization, provided that the repatriation may not occur until at least thirty (30) days after publication of the notice of intent to repatriate in the Federal Register as described in § 10.8.

(b) *Human remains and associated funerary objects—(1) Criteria.* Upon the request of a lineal descendant, Indian tribe, or Native Hawaiian organization, a museum and Federal agency must expeditiously repatriate human remains and associated funerary objects if all of the following criteria are met:

(i) The human remains or associated funerary object meets the definitions established in § 10.2 (b)(1) or (b)(3); and

(ii) The affiliation of the deceased individual to known lineal descendant, present day Indian tribe, or Native Hawaiian organization:

(A) has been reasonably traced through the procedures outlined in § 10.9 and § 10.14 of these regulations; or

(B) has been shown by a preponderance of the evidence presented by a requesting Indian tribe or Native Hawaiian organization pursuant to section 7(c) of the Act; and

(iii) None of the specific exceptions listed in § 10.10 (c) apply.

(2) *Notification.* Repatriation must take place within ninety (90) days of receipt of a written request for repatriation that satisfies the requirements of § 10.10 (b)(1) from the culturally affiliated Indian tribe or Native Hawaiian organization, provided that the repatriation may not occur until at least thirty (30) days after publication of the notice of inventory completion in the Federal Register as described in § 10.9.

(c) *Exceptions.* These requirements for repatriation do not apply to:

(1) Circumstances where human remains, funerary objects, sacred objects, or objects of cultural patrimony are indispensable to the completion of a specific scientific study, the outcome of which is of major benefit to the United States. Human remains, funerary objects, sacred objects, or objects of cultural patrimony in such circumstances must be returned no later than ninety (90) days after completion of the study; or

(2) Circumstances where there are multiple requests for repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony and the museum or Federal agency, after complying with these regulations, cannot determine by a preponderance of the evidence which requesting party is the most appropriate claimant. In such circumstances, the museum or Federal agency may retain the human remains, funerary objects, sacred objects, or objects of cultural patrimony until such time as the requesting parties mutually agree upon the appropriate recipient or the dispute is otherwise resolved pursuant to these regulations or as ordered by a court of competent jurisdiction; or

(3) Circumstances where a court of competent jurisdiction has determined that the repatriation of the human remains, funerary objects, sacred objects, or objects of cultural patrimony in the possession or control of a museum would result in a taking of property without just compensation within the meaning of the Fifth Amendment of the United States Constitution, in which event the custody of the objects must be as provided under otherwise applicable

law. Nothing in these regulations must prevent a museum or Federal agency, where otherwise so authorized, or a lineal descendant, Indian tribe, or Native Hawaiian organization, from expressly relinquishing title to, right of possession of, or control over any human remains, funerary objects, sacred objects, or objects of cultural patrimony.

(4) Circumstances where the repatriation is not consistent with other repatriation limitations identified in § 10.15 of these regulations.

(d) *Place and manner of repatriation.* The repatriation of human remains, funerary objects, sacred objects, or objects of cultural patrimony must be accomplished by the museum or Federal agency in consultation with the requesting lineal descendants, or culturally affiliated Indian tribe or Native Hawaiian organization, as appropriate, to determine the place and manner of the repatriation.

(e) The museum official or Federal agency official must inform the recipients of repatriations of any presently known treatment of the human remains, funerary objects, sacred objects, or objects of cultural patrimony with pesticides, preservatives, or other substances that represent a potential hazard to the objects or to persons handling the objects.

(f) *Record of repatriation.* (1) Museums and Federal agencies must adopt internal procedures adequate to permanently document the content and recipients of all repatriations.

(2) The museum official or Federal agency official, at the request of the Indian tribe official, may take such steps as are considered necessary pursuant to otherwise applicable law, to ensure that information of a particularly sensitive nature is not made available to the general public.

(g) *Culturally unidentifiable human remains.* If the cultural affiliation of human remains cannot be established pursuant to these regulations, the human remains must be considered culturally unidentifiable. Museum and Federal agency officials must report the inventory information regarding such human remains in their holdings to the Departmental Consulting Archeologist who will transmit this information to the Review Committee. The Review Committee is responsible for compiling an inventory of culturally unidentifiable human remains in the possession or control of each museum and Federal agency, and, for recommending to the Secretary specific actions for disposition of such human remains.

§ 10.11 *Disposition of culturally unidentifiable human remains.* [Reserved]

§ 10.12 *Civil penalties.* [Reserved]

§ 10.13 *Future applicability.* [Reserved]

#### Subpart D—General

§ 10.14 *Lineal descent and cultural affiliation.*

(a) *General.* This section identifies procedures for determining lineal descent and cultural affiliation between present-day individuals and Indian tribes or Native Hawaiian organizations and human remains, funerary objects, sacred objects, or objects of cultural patrimony in museum or Federal agency collections or excavated intentionally or discovered inadvertently from Federal lands. They may also be used by Indian tribes and Native Hawaiian organizations with respect to tribal lands.

(b) *Criteria for determining lineal descent.* A lineal descendant is an individual tracing his or her ancestry directly and without interruption by means of the traditional kinship system of the appropriate Indian tribe or Native Hawaiian organization or by the common law system of descent to a known Native American individual whose remains, funerary objects, or sacred objects are being requested under these regulations. This standard requires that the earlier person be identified as an individual whose descendants can be traced.

(c) *Criteria for determining cultural affiliation.* Cultural affiliation means a relationship of shared group identity that may be reasonably traced historically or prehistorically between a present-day Indian tribe or Native Hawaiian organization and an identifiable earlier group. All of the following requirements must be met to determine cultural affiliation between a present-day Indian tribe or Native Hawaiian organization and the human remains, funerary objects, sacred objects, or objects of cultural patrimony of an earlier group:

(1) Existence of an identifiable present-day Indian tribe or Native Hawaiian organization with standing under these regulations and the Act; and

(2) Evidence of the existence of an identifiable earlier group. Support for this requirement may include, but is not necessarily limited to evidence sufficient to:

(i) Establish the identity and cultural characteristics of the earlier group.

(ii) Document distinct patterns of material culture manufacture and distribution methods for the earlier group. or

(iii) Establish the existence of the earlier group as a biologically distinct population; and

(3) Evidence of the existence of a shared group identity that can be reasonably traced between the present-day Indian tribe or Native Hawaiian organization and the earlier group. Evidence to support this requirement must establish that a present-day Indian tribe or Native Hawaiian organization has been identified from prehistoric or historic times to the present as descending from the earlier group.

(d) A finding of cultural affiliation should be based upon an overall evaluation of the totality of the circumstances and evidence pertaining to the connection between the claimant and the material being claimed and should not be precluded solely because of some gaps in the record.

(e) *Evidence.* Evidence of a kin or cultural affiliation between a present-day individual, Indian tribe, or Native Hawaiian organization and human remains, funerary objects, sacred objects, or objects of cultural patrimony must be established by using the following types of evidence: Geographical, kinship, biological, archeological, anthropological, linguistic, folklore, oral tradition, historical, or other relevant information or expert opinion.

(f) *Standard of proof.* Lineal descent of a present-day individual from an earlier individual and cultural affiliation of a present-day Indian tribe or Native Hawaiian organization to human remains, funerary objects, sacred objects, or objects of cultural patrimony must be established by a preponderance of the evidence. Claimants do not have to establish cultural affiliation with scientific certainty.

#### § 10.15 Repatriation limitations and remedies.

(a) *Failure to claim prior to repatriation.* (1) Any person who fails to make a timely claim prior to the repatriation or transfer of human remains, funerary objects, sacred objects, or objects of cultural patrimony is deemed to have irrevocably waived any right to claim such items pursuant to these regulations or the Act. For these purposes, a "timely claim" means the filing of a written claim with a responsible museum or Federal agency official prior to the time the particular human remains, funerary objects, sacred objects, or objects of cultural patrimony at issue are duly repatriated or disposed of to a claimant by a museum or Federal agency pursuant to these regulations.

(2) If there is more than one (1) claimant, the human remains, funerary

object, sacred object, or objects of cultural patrimony may be held by the responsible museum or Federal agency or person having custody thereof pending resolution of the claim. Any person who has custody of such human remains, funerary objects, sacred objects, or objects of cultural patrimony and does not claim entitlement to them must place the objects in the custody of the responsible museum or Federal agency for retention until the question of custody is resolved.

(b) *Failure to claim where no repatriation or disposition has occurred.* [Reserved]

(c) *Exhaustion of remedies.* No person is considered to have exhausted his or her administrative remedies with respect to the repatriation or disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony subject to subpart B of these regulations, or, with respect to Federal lands, subpart C of these regulations, until such time as the person has filed a written claim for repatriation or disposition of the objects with the responsible museum or Federal agency and the claim has been duly denied following these regulations.

(d) *Savings provisions.* Nothing in these regulations can be construed to:

(1) Limit the authority of any museum or Federal agency to:

(i) Return or repatriate human remains, funerary objects, sacred objects, or objects of cultural patrimony to Indian tribes, Native Hawaiian organizations, or individuals; and

(ii) Enter into any other agreement with the consent of the culturally affiliated Indian tribe or Native Hawaiian organization as to the disposition of, or control over, human remains, funerary objects, sacred objects, or objects of cultural patrimony.

(2) Delay actions on repatriation requests that were pending on November 16, 1990;

(3) Deny or otherwise affect access to court;

(4) Limit any procedural or substantive right which may otherwise be secured to individuals or Indian tribes or Native Hawaiian organizations; or

(5) Limit the application of any State or Federal law pertaining to theft of stolen property.

#### § 10.16 Review committee.

(a) *General.* The Review Committee will advise Congress and the Secretary on matters relating to these regulations and the Act, including, but not limited to, monitoring the performance of museums and Federal agencies in carrying out their responsibilities

facilitating and making recommendations on the resolution of disputes as described further in § 10.17, and compiling a record of culturally unidentifiable human remains that are in the possession or control of museums and Federal agencies and recommending actions for their disposition.

(b) *Recommendations.* Any recommendation, finding, report, or other action of the Review Committee is advisory only and not binding on any person. Any records and findings made by the Review Committee may be admissible as evidence in actions brought by persons alleging a violation of the Act.

#### § 10.17 Dispute resolution.

(a) *Formal and informal resolutions.* Any person who wishes to contest actions taken by museums, Federal agencies, Indian tribes, or Native Hawaiian organizations with respect to the repatriation and disposition of human remains, funerary objects, sacred objects, or objects of cultural patrimony is encouraged to do so through informal negotiations to achieve a fair resolution of the matter. The Review Committee may aid in this regard as described below. In addition, the United States District Courts have jurisdiction over any action brought that alleges a violation of the Act.

(b) *Review Committee Role.* The Review Committee may facilitate the informal resolution of disputes relating to these regulations among interested parties that are not resolved by good faith negotiations. Review Committee actions may include convening meetings between parties to disputes, making advisory findings as to contested facts, and making recommendations to the disputing parties or to the Secretary as to the proper resolution of disputes consistent with these regulations and the Act.

#### Appendix A to Part 10—Sample Summary

The following is a generic sample and should be used as a guideline for preparation of summaries tailoring the information to the specific circumstances of each case.

Before November 17, 1993  
Chairman or Other Authorized Official  
Indian tribe or Native Hawaiian  
organization

Street  
State  
Dear Sir/Madame Chair:

I write to inform you of collections held by our museum which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony that are, or are likely to be, culturally affiliated with your Indian tribe or Native Hawaiian organization. This notification is required by section 6 of

the Native American Graves Protection and Repatriation Act.

Our ethnographic collection includes approximately 200 items specifically identified as being manufactured or used by members of your Indian tribe or Native Hawaiian organization. These items represent various categories of material culture, including sea and land hunting, fishing, tools, household equipment, clothing, travel and transportation, personal adornment, smoking, toys, and figurines. The collection includes thirteen objects identified in our records as "medicine bags."

Approximately half of these items were collected by John Doe during his expedition to your reservation in 1903 and accessioned by the museum that same year (see Major Museum Publication, no. 65 (1965)).

Another 50 of these items were collected by Jane Roe during her expeditions to your reservation between 1950-1960 and accessioned by the museum in 1970 (see Major Museum: no. 75 (1975)). Accession information indicates that several of these items were collected from members of the Able and Baker families.

For the remaining approximately 50 items, which were obtained from various collectors between 1930 and 1980, additional collection information is not readily available.

In addition to the above mentioned items, the museum has approximately 50 ethnographic items obtained from the estate of a private collector and identified as being collected from the "northwest portion of the State."

Our archeological collection includes approximately 1,500 items recovered from ten archeological sites on your reservation and another 5,000 items from fifteen sites within the area recognized by the Indian Claims Commission as being part of your Indian tribe's aboriginal territory.

Please feel free to contact Fred Poe at (012) 345-6789 regarding the identification and potential repatriation of unassociated funerary objects, sacred objects, or objects of cultural patrimony in this collection that are, or are likely to be, culturally affiliated with your Indian tribe or Native Hawaiian organization. You are invited to review our records, catalogues, relevant studies or other pertinent data for the purpose of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of these items. We look forward to working together with you.

Sincerely,  
Museum Official  
Major Museum

#### Appendix B to Part 10—Sample Notice of Inventory Completion

The following is an example of a Notice of Inventory Completion published in the Federal Register.

National Park Service  
Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from Hancock County, ME, in the Control of the National Park Service.

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

Notice is hereby given following provisions of the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3003(d), of completion of the inventory of human remains and associated funerary objects from a site in Hancock County, ME, that are presently in the control of the National Park Service.

A detailed inventory and assessment of these human remains has been made by National Park Service curatorial staff, contracted specialists in physical anthropology and prehistoric archeology, and representatives of the Penobscot Nation, Aroostook Band of Micmac, Houlton Band of Maliseet, and the Passamaquoddy Nation, identified collectively hereafter as the Wabanaki Tribes of Maine.

The partial remains of at least seven individuals (including five adults, one subadult, and one child) were recovered in 1977 from a single grave at the Fernald Point Site (ME Site 43-24), a prehistoric shell midden on Mount Desert Island, within the boundary of Acadia National Park. A bone harpoon head, a modified beaver tooth, and several animal and fish bone fragments were found associated with the eight individuals. Radiocarbon assays indicate the burial site dates between 1035-1155 AD. The human remains and associated funerary objects have been catalogued as ACAD-5747, 5749, 5750, 5751, 5752, 5783, 5784. The partial remains of an eighth individual (an elderly male) was also recovered in 1977 from a second grave at the Fernald Point Site. No associated funerary objects were recovered with this individual. Radiocarbon assays indicate the second burial site dates between 480-680 AD. The human remains have been catalogued as ACAD-5748. The human remains and associated funerary objects of all nine individuals are currently in the possession of the University of Maine, Orono, ME.

Inventory of the human remains and associated funerary objects and review of the accompanying documentation indicates that no known individuals were identifiable. A representative of the Wabanaki Tribes of

Maine has identified the Acadia National Park area as a historic gathering place for his people and stated his belief that there exists a relationship of shared group identity between these individuals and the Wabanaki Tribes of Maine. The Prehistoric Subcommittee of the Maine State Historic Preservation Office's Archaeological Advisory Committee has found it reasonable to trace a shared group identity from the Late Prehistoric Period (1000-1500 AD) inhabitants of Maine as an undivided whole to the four modern Indian tribes known collectively as the Wabanaki Tribes of Maine on the basis of geographic proximity; survivals of stone, ceramic and perishable material culture skills; and probable linguistic continuity across the Late Prehistoric/Contact Period boundary. In a 1979 article, Dr. David Sanger, the archeologist who conducted the 1977 excavations at the Fernald Point Site and uncovered the abovementioned burials, recognizes a relationship between Maine sites dating to the Ceramic Period (2,000 B.P.-1600 A.D.) and present-day Algonkian speakers generally known as Abenakis, including the Micmac, Maliseet, Passamaquoddy, Penobscot, Kennebec, and Pennacook groups.

Based on the above mentioned information, officials of the National Park Service have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity which can be reasonably traced between these human remains and associated funerary objects and the Wabanaki Tribes of Maine.

This notice has been sent to officials of the Wabanaki Tribes of Maine. Representatives of any other Indian tribe which believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Len Bobinchock, Acting Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, ME 04609, telephone: (207) 288-0374, before August 31, 1994. Repatriation of these human remains and associated funerary objects to the Wabanaki Tribes of Maine may begin after that date if no additional claimants come forward.

Dated: July 21, 1994

Francis P. McManamon,  
*Departmental Consulting Archeologist,  
Chief, Archeological Assistance Division.*

[Published: August 1, 1994]

George T. Frampton, Jr.,  
*Assistant Secretary for Fish and Wildlife and  
Parks.*

[FR Doc. 95-29418 Filed 12-1-95; 8:45 am]  
BILLING CODE 4310-70-F

**Appendix C**  
**Project Correspondence**



December 12, 1997

Kathleen L. Miller, Superintendent  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

re: Progress Report RFQ6290-7-0004

Dear Superintendent Miller:


The work in assessment of specific objects in the museum collections of Effigy Mounds National Monument is at about the mid-way point. As you know, I visited the Monument and worked with the collections and records there on November 17 and until noon on the 18<sup>th</sup>. The collections and records were made readily available to me and the staff were very helpful.

In the course of this inspection, I reviewed the lists of recommendations of the past Superintendent for items which might be subject to NAGPRA and checked the available records on those items. Those lists of recommendations will be evaluated as the study progresses. I also made an inspection of all artifacts in the Monument collections and prepared a list of items about which I had some questions. This list was submitted to Ms. (b) (6), (b) (7)(C) who located the computer records for each item and printed the information out. I took black and white photographs of all items which I suspected might be eligible for NAGPRA while Ms. (b) (6), (b) (7)(C) was consulting the computer records. I will compare the information on each of those objects as I prepare my report. The artifacts which are on display were also studied through the plexiglass, since it was impossible to remove the case fronts. I made notes on items I suspected were eligible for NAGPRA that could be identified by site. Some items could not be identified by site and context, a few of which may be identifiable through recourse to the literature, specifically reports written by Paul Beaubien. As you know, NAGPRA regulations interpretations and procedures have been (and, will be) modified. I will try to keep abreast of all changes in preparation of my reports.

I expect to continue this project shortly after Christmas and may have more questions about specific artifacts prior to submission of a draft report.

Thanks are due you and your staff for making my NAGPRA-related research at Effigy Mounds National Monument very pleasant, indeed.

Sincerely,

  
Dale R. Henning, Director  
Archeological Services



PROMOTING THE EDUCATIONAL AND RESEARCH  
ACTIVITIES OF THE ILLINOIS STATE MUSEUM

---

SPRING AND EDWARDS STREETS ■ SPRINGFIELD, IL 62706 ■ TEL 217-782-6092

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January 15, 1998

Ms. Kate L. Miller, Supt.  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

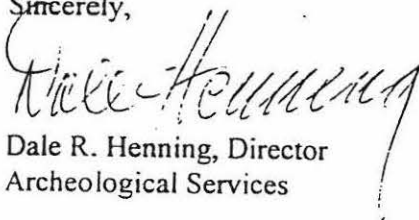
Subject: Contract, RFQ6290-7-0004

Dear Supt. Miller:

In the course of preparing the two reports in partial satisfaction of the above-referenced contract, I wish to solicit an extension of the due date for those reports to February 15, 1998. The work is very interesting, but has taken a great deal more time than I had expected. The extension in time will serve to improve the quality of the final products.

Thank you for your positive consideration of my request.

Sincerely,



Dale R. Henning, Director  
Archeological Services



## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, Iowa 52146-7519

IN REPLY REFER TO:

57221  
(EFMO)

January 15, 1998

Mr. Dale R. Henning, Director  
Archeological Services  
Illinois State Museum Society  
Spring and Edwards Streets  
Springfield, IL 62706

Dear Dale:

This is to advise you that your request for an extension of the due date for the draft report under Contract 6290-7-0004 is approved. We understand the complexities of the work and appreciate your efforts to resolve the issues you are confronting. We will expect to receive the draft report on February 15, 1998.

I have passed on your request for additional information to Mardi Butt-Arce, who will respond promptly. I was interested in your account of the pursuit of information related to the provenance of certain collection items. Although I know you will document this process in sufficient detail to substantiate the conclusions of your report, please don't hesitate to include any additional details from conversations that could be potentially helpful to us in dealing with other collections matters. You are performing a valuable service for the monument in piecing together gaps in our collection's history.

We will anticipate news of your next trip to the monument. Good luck as you continue your work.

Sincerely,

Kathleen L. Miller  
Superintendent

cc. Florencia Wiles



X-Sender: sscherme@blue.weeg.uiowa.edu  
Date: Thu, 12 Mar 1998 11:53:56 -0600  
To: Dale Henning <henning@museum.state.il.us>  
From: "Shirley J. Schermer" <Shirley-Schermer@uiowa.edu>  
Subject: Re: EMNM Accession 1

Sorry for being so slow. It seemed like every time I sat down to look at the remains, the phone rang or some other distraction occurred. I agree with your assessment that some of the remains are human. I was able to id (or tentatively id) 3 of the fragments as to element--1 femur shaft fragment, partially covered with some kind of wrapping and preservative (paper layers soaked in preservative??), the bone had not been cleaned prior to wrapping giving the fragment a very irregular surface appearance; 1 possible fragment of an innominate, from along the margin of the acetabulum; and 1 possible fragment of the lateral portion of the distal end of a radius. The last two id's are tentative because of the small size and overall condition of the fragments, but they compare favorably to the mentioned features on complete bones.

The fragment of a small-sized tubular bone does not compare favorably in terms of size and shape to human metacarpals, metatarsals, and phalanges I used for comparison.

I am unable to identify as to element the 5 additional fragments. They were all covered with preservative prior to cleaning and there are no diagnostic features visible. The largest unidentified fragment was badly distorted by wrapping similar to that covering the femoral fragment--soil and smaller bone fragments are between the larger bone fragment cortical surface and the wrapping. The fragment appears to be too small for a femur, but I'm not really able to id. In spite of a lack of bone element id, there is nothing about these 5 fragments that would lead me to say unequivocally that they are not human; the best I can do at this point is to say they may possibly be human.

Shirley J. Schermer, Director, Burials Program  
Office of the State Archaeologist, 14 Eastlawn, Iowa City, IA 52242-1411.  
<sscherme@blue.weeg.uiowa.edu>  
Ph. 319-335-2400  
Fax 319-335-2776

**Appendix D**  
**Effigy Mounds National Monument**  
**Past Compliance Documents**  
(NAGPRA Inventory deaccessioned catalog numbers, 1986, 1990)  
(Inventory, 1995)  
(Compliance documents, NAGPRA Summary)

Please note: The deaccessioned catalogue numbers (lists of 1986 and 1990) refer specifically to human bone elements. Note also that uncataloged portions of some accession numbers are listed at the bottom of each page. The lists of Summary items are included in order to afford complete documentation of the process followed by EFMO in preparing the list of 1993. The process began in 1992 with the eight page table, continued with revisions to that table that were forwarded to MWAC in September of 1993, then a final listing in the Servicewide Summary posted in October, 1993. All of these lists and their marginal notes were used in the research culminating in this report.

drh

Deaccessioned catalog numbers - 10/07/86

667

Acc. 70

4083	4161	4268	4315	4350	4379	4494
4109	4162	4279	4316	4351	4382	4495
4110	4170	4290	4318	4352	4383	4497
4111	4171	4291	4319	4353	4390	4499
4112	4172	4292	4320	4354	4393	4501
4113	4173	4293	4322	4355	4398	4506
4114	4187	4294	4323	4356	4399	4526
4115	4188	4295	4325	4357	4444	4527
4116	4190	4296	4326	4358	4445	4531
4117	4191	4298	4327	4359	4446	4532
4118	4210	4299	4328	4360	4448	4533
4119	4212	4300	4329	4361	4455	4538
4120	4213	4301	4333	4362	4457	4540
4121	4215	4302	4334	4363	4464	4543
4122	4218	4303	4335	4364	4468	4547
4125	4219	4304	4338	4365	4472	4550
4126	4221	4305	4339	4366	4473	
4129	4223	4306	4340	4367	4474	
4130	4224	4307	4341	4368	4475	
4132	4227	4308	4342	4369	4478	
4134	4230	4309	4343	4370	4479	
4135	4236	4310	4344	4371	4480	
4137	4242	4311	4345	4372	4483	
4138	4246	4312	4346	4373	4489	
4140	4249	4313	4347	4376	4490	
4147	4252	4314	4348	4377	4493	

Acc. 13 - 341, 342

Acc. 72 - 591

Acc. 87 - 515-577, 581

Acc. 49 - 2996, 2997, 3026, 3087, 3132, 3021, 3115

Acc. 48

5817	5855	5866
5818	5857	5868
5821	5858	5869
5827	5859	5871
5848	5860	5872
5849	5861	
5850	5863	
5851	5864	
5852	5865	

Acc. 2  
514

Also deaccessioned are uncataloged portions of Accession numbers 14, 44, 48, 50, 51, and 77.

Deaccessioned catalog numbers - 7/30/90

Acc. 8

4846	5032	4789	4962	4769	5051	5636	5076
5481	5231	5042	4961	4861	5056	4963	5001
4820	5477	4920	4955	5017	5394	5393	4959
5589	5124	5047	4956	5221	5516	4960	4928
4929	4972	5099	4953	5091	5479	5100	4849
4924	4971	5434	4951	4692	4927	4594	4816
4930	4970	5072	4952	5000	4954	5236	4800
4980	5127	4939	4950	5089	5190	4889	4790
4679	5200	4925	4949	5041	4600	4822	
4593	5227	4715	4947	5090	4870	4817	
5028	5097	5189	4946	5088	5112	4806	
5474	5038	5188	4945	5555	5113	4801	
5475	4788	5707	5105	4606	5114	4884	
5473	4791	5362	5106	5341	5115	4958	
5476	4795	5220	5179	4638	5116	5014	
5482	5153	5239	4659	4592	5117	4878	
5484	4633	5695	5101	4859	5118	5002	
5483	5147	5430	5379	5025	5122	5104	
5478	5021	4885	5102	5034	5119	5109	
5471	5156	4998	5018	5033	4965	5148	
5486	4694	5594	5582	5020	4867	5213	
5121	4981	5520	5187	5019	4964	5558	
5586	5093	5026	5180	5016	4779	5706	
5096	4691	4869	5181	5013	4773	5694	
4966	4685	4696	5132	5012	4776	5317	
5225	4686	5494	5219	4619	5378	5212	
5206	5233	5108	5107	5123	4848	5144	
4940	5232	5427	5103	5480	4847	5111	
5425	5428	5426	4775	5098	4845	5077	

Acc. 16

642	638	1656	648	652	656	
641	637	645	649	653	657	
640	643	646	650	654		
639	644	647	651	655		

Acc. 95

1940 1941

Acc. 132 - 7249, 733/

Acc. 5 - 3929

Acc. 70

4551

Also deaccessioned are uncataloged portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107, 109, 111, and 132.

NATIONAL PARK SERVICE  
 PARK NAME: EFFIGY MOUNDS NATIONAL MONUMENT  
 DATE: Oct. 14. 1992

SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

NAGPRA categories are indicated in the left column under "Scope" as follows:

- 1 Unassociated funerary objects
- 2 Sacred objects
- 3 Objects of cultural patrimony

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	scraper 4	Northeast Iowa C. 1 Dr. 2	gift	27Jun1950	Unknown
1	1	awl 8	13AM21, NE Iowa, O'Regan Ter. C. 1 Dr. 1	gift	27Jun1950	Oneota
1	24	sherd 55-78	Mound 2, NE Iowa, Paint Rock group C. 1 Dr. 1	gift	27Jun1950	Late Woodland
1	1	scraper 80	13AM21, NE IA, O'Regan terrace C. 1 Dr. 1	gift	27Jun1950	Oneota

*not correct*

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	X pipe 107	13AM21, NE IA, O'Regan Terrace MKS	gift	28Aug1958	Oneota
1	3	projectile point 304-306	13AM14, NE IA, Burke's Mound C 1 DR 2	gift	27Jun1950	Woodland, Oneota
1	1	abrader 309	Terrace of Upper Iowa River MKS	gift	27Jun1950	Unknown
1	1	pot 356	Terrace of Upper Iowa River C 7 DR 4	gift	27Jun1950	Unknown
1	1	red ocher 580	Lansing, IA C 2 DR 6	Field Collection	pre1970	Unknown
1	1	pot 658	13AM82, Md. 36 or 37, EFMO C 1 DR 4	gift	23Feb1958	Unknown
1	1	X pipe 840	Glenwood area, Mills Co., Iowa C 1 DR 6	gift	27Jun1950	Unknown

*Gift  
Pipe*

*pl. to follow  
not correct*

*possible  
connection =*

*into  
pot*

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe 848	Glenwood area, Mills Co., Iowa C-1 D.P. 6	gift	27Jun1950	Unknown
1	1	red ocher 922	13PM3, Kimball Md. Plymouth Co M-3	gift	27Jun1950	Unknown
1	1	rubbing stone 1007	13AM82, Md. 36 or 37, EFMO C 2 D.P. 4	gift	23Feb1958	Effigy Mounds
3	3	catlinite 1067-1069	Pipestone National Monument C-2 D.P. 1 + C-1 D.P. 3	gift	27Jun1950	Sioux (Dakota)
3	1	catlinite 1086	Black Pipe Creek, SD Mellet Co C-2 D.P. 1	gift	27Jun1950	Sioux (Dakota)
1	1	concretion 1134	13AM82, Md. 36 or 37, EFMO C-2 D.P. 6	gift	23Feb1958	Effigy Mounds
1	1	1135 paint stone	13AM82, Md. 36 or 37, EFMO C-2 D.P. 6	gift	23Feb1958	Effigy Mounds



Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	Galena crystal 1136	13AM82, Md. 36 or 37, EFMO C. 2 DR 6	gift	23Feb1958	Effigy Mounds
3	1	pipe 1349	NE Iowa C. 4 DR 2	gift	18Nov1961	Unknown
• 3	1	breastplate 1537	13AM82, Md. 36 or 36, EFMO C. 7 DR 1	Field Collection	20Nov1959	Unknown
3	1	New Albin tablet 1619	13AM66, New Albin, Iowa M4.5	gift	16Oct.1960	Oneota
3	1	catlinite 1647	Pipestone National Monument C. 1 DR 3	gift	27Jun1950	Sioux (Dakota)
3	1	arrow 1657	NE Iowa C. 4 DR 5	unknown	04May1960	Sioux (Dakota)
3	1 ea.	pipe stem and bowl 1658 & 1659	unknown C. 1 DR 3	gift	1950 27Jun1992	Sioux (Dakota)

*To field, P. found  
see re. page*

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1 ea.	pipe stem and bowl 1660 + 1661	Chamberlain South Dakota C. 1 DR 3	gift	27Jun1950	Sioux (Dakota)
3	1 ea.	pipe stem and bowl 1662 + 1663	Pipestone National Monument C. 1 DR 3	gift	27Jun1950	Sioux (Dakota)
3	1	moccasin 1665	unknown C. 1 DR 3	gift	27Jun1950	Sioux (Dakota)
3	1	copper 3234	NE Iowa C. 5 DR 4	Field Collection	1950	Unknown
3	1	red ocher 3466	13AM190, EFMO C. 6 DR 5	Field Collection	05Jul1965	Unknown
3	1	red ocher 3955	13CT18, EFMO, Sny Magill C. 7 DR 2	Field Collection	17Aug1952	Unknown
3	1	copper 6031	unknown C. 10 DR 3	Field Collection	pre1985	Unknown

13AM 47-55  
Acc #1

7 intercept?

acc 130

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe bowl 6597	unknown C.10 DR. 3	Field Collection	pre1985	unknown
3	1	pipe bowl 6598	unknown C 4 DR 4	gift	19Jan1970	unknown
1	5	blade 6992-6996	13AM43, NE Iowa MUS.	loan	27Apr1987	Oneota
3,1	3	7023-7025 copper beads	13AM43, NE Iowa MUS.	loan	27Apr1987	Oneota
3,1	1	7026 copper bracelet	MUS 13AM43, NE Iowa	loan	27Apr1987	Oneota
3	1	7027 copper serpent	MUS, 13AM16, NE Iowa	loan	27Apr1987	Oneota
3	1	7028 pipe	MUS, Bluffton, Winneshiek Co., Iowa	loan	27Apr1987	Historic Winnebago

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
3	1	pipe 7062	NE Iowa Allamakee MUS	loan	18Mar1987	Oneota
3	1	pipe 7065	NE Iowa Allamakee Co. MUS	loan	18Mar1987	Hopewell
3	1	pipe 7066	MUS. NE Iowa, Allamakee Co.	loan	18Mar1987	Late Woodland
1	1	7070 pot	MUS. 13AM60, NE Iowa, Malone Cemetery	loan	27Apr1987	Oneota
1	1	7072 core	MUS. 13AM150, Luther- Hennessy Md.	loan	18Mar1987	Middle Woodland
3,1	1	7082 copper gorget	MUS. Mound 57, EFMO	Beauregard Field Collection	1950	Hopewell
3,1	1	7083 copper breastplate	MUS. 13AM82, Fire Point EFMO	Beauregard Field Collection	08.Jul1952	Hopewell

Scope	Estimated Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Cultural Affiliation
1	1	7096 awl sharpener	MCS Terrace of Upper Iowa River	on de a place gift	27 Jun 1950	Oneota
3	5	9435 Copper beads	MJ's 13CT38, Sny Magill, EFMO	Field Collection	17 Aug 1952	Hopewell

H1815(D)

September 1, 1993

COPY

Memorandum

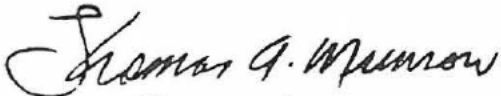
To: Manager, Midwest Archeological Center  
Attention: Acting Regional Ethnographer

From: Superintendent, Effigy Mounds NM

Subject: Compliance with the Native American Graves Protection  
and Repatriation Act of 1990  
Reply due: September 8      Response directly to MWAC

Enclosed is an updated list of the items in our park collection which are identified for the Servicewide Summary of Unassociated Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony. We have eliminated a number of items from the initial list which was mailed with your August 23, 1993, memorandum.

We have made a photo copy of that list and crossed out the items which we feel, through consultation with park staff and records, should be eliminated from the list. Please contact us if you have any questions about the list or information on the Native American Graves Protection and Repatriation Act.



Thomas A. Munson

Enclosure

UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

UNAF I

This list is based on existing documentation and assessment by NPS staff. Some unassociated funerary objects, sacred objects, and objects of cultural patrimony in NPS sections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects or objects of cultural patrimony may have unwittingly included in this summary. The National Park Service welcomes information that will refine this summary. Affiliated persons and groups are invited to visit collections to make such determinations.

Object Type	Geographic Location	Acquisition Type	Acquisition Date	Probable Archeological Designation	Ethnohistoric (Include Time Period)	Possible Contemporary Affiliation	Attachment ?
<b>MIDWEST REGION</b>							
<b>EFFIGY MOUNDS NATIONAL MONUMENT</b>							
1 SCRAPER	NE IA	GIFT	6/27/50			UNKNOWN	
2 SCRAPER AWL	13AM21, NE IA, O'REGAN TERRACE	GIFT	6/27/50	ONEOTA		UNKNOWN	
24 SWORD	MOUND 2, NE IA, PAINT ROCK GROUP	GIFT	6/27/50	LATE WOODLAND		UNKNOWN	
<del>1 PIPE</del>	<del>13AM21, NE IA, O'REGAN TERRACE</del>	<del>GIFT</del>	<del>8/28/58</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>	
3 PROJECTILE POINT	13AM14, NE IA, BURKE'S MOUND	GIFT	6/27/50	WOODLAND, ONEOTA		UNKNOWN	
2 AXJADER POT	TERRACE OF UPPER IA RIVER	GIFT	6/27/50			UNKNOWN	
1 RED OCHER	LANING, IA	FIELD COLLECTION	PRE 1970			UNKNOWN	
1 POT	13AM83, MD. 36 OR 37, EFMO	GIFT	2/23/58			UNKNOWN	
<del>2 PIPE</del>	<del>GLENWOOD AREA, HILLS CO., IA</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>UNKNOWN</del>	
1 RED OCHER	13PH3, KIMBALL MD., PLYMOUTH CO.	GIFT	6/27/50			UNKNOWN	
4 RUBBING STONE CONCRETION PAINT STONE GALENA CRYSTAL	13AM02, MD. 36 OR 37, EFMO	GIFT	2/23/58	EFFIGY MOUNDS		UNKNOWN	
<del>6 CATLINITE PIPE STEM AND BOWL</del>	<del>PIPESTONE MN</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>SIOUX (DAKOTA)</del>	
<del>1 CATLINITE</del>	<del>BLACK PIPE CREEK, SD, HELLET CO.</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>SIOUX (DAKOTA)</del>	
1 PIPE	NE IA	GIFT	11/18/61			UNKNOWN	

SERVICEWIDE SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

UNAF I

This list is based on existing documentation and assessment by NPS staff. Some unassociated funerary objects, sacred objects, and objects of cultural patrimony in MPS sections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects or objects of cultural patrimony may have unwittingly been included in this summary. The National Park Service welcomes information that will refine this summary. Affiliated persons and groups are invited to visit collections to make such determinations.

Number of Objects	Object Type	Geographic Location	Acquisition Type	Acquisition Date	Probable Archeological Designation	Ethnohistoric (Include Time Period)	Possible Contemporary Affiliation
1	BREASTPLATE	13AM82, ND, 36 OR 36, EFMO	FIELD COLLECTION	11/20/59			UNKNOWN
1	NEW ALBIN TABLET	13AM46, NEW ALBIN, IA	GIFT	10/16/60	ONEOTA		UNKNOWN
1	ARROW	NE IA	UNKNOWN	5/4/60			SIOUX (DAKOTA)
2	PIPE STEM AND BOWL	UNKNOWN	GIFT	6/27/50			SIOUX (DAKOTA)
2	PIPE STEM AND BOWL	CHANDLERAIN, SD	GIFT	6/27/50			SIOUX (DAKOTA)
1	MOCCASIN	UNKNOWN	GIFT	6/27/50			SIOUX (DAKOTA)
1	COPPER	NE IA	FIELD COLLECTION	1950			UNKNOWN
1	RED OCHER	13AM190, EFMO	FIELD COLLECTION	7/5/65			UNKNOWN
1	RED OCHER	13CT18, EFMO, SHY MAGILL	FIELD COLLECTION	8/17/52			UNKNOWN
1	COPPER	UNKNOWN	FIELD COLLECTION	PRE 1985			UNKNOWN
1	PIPE BOWL	UNKNOWN	FIELD COLLECTION	PRE 1985			UNKNOWN
1	PIPE BOWL	UNKNOWN	GIFT	1/19/70			UNKNOWN
1	BLADE	13AM43, NE IA	LOAN	4/27/87	ONEOTA		UNKNOWN
	COPPER BEADS						
	COPPER BRACELET						
1	COPPER SERPENT	13AM16, NE IA	LOAN	4/27/87	ONEOTA		UNKNOWN
1	PIPS	BLUFFTON, WINNEBESK CO., IA	LOAN	4/27/87		HISTORIC WINNEBAGO	UNKNOWN
1	PIPE	NE IA, ALLAMAKEE CO.	LOAN	3/18/87	ONEOTA		UNKNOWN
1	PIPE	NE IA, ALLAMAKEE CO.	LOAN	3/18/87	ONEOTA		UNKNOWN
1	PIPE	NE IA, ALLAMAKEE CO.	LOAN	3/18/87	LATE WOODLAND		UNKNOWN
1	POT	13AM60, NE IA, MALONE CEMETERY	LOAN	4/27/87	ONEOTA		UNKNOWN
1	CORE	13AM150, LUTHER-WENNESSY RD.	LOAN	3/18/87	MIDDLE WOODLAND		UNKNOWN
1	COPPER BOWTIE	ROUND 57, EFMO	FIELD COLLECTION	1950	HOPEWELL		UNKNOWN
1	COPPER BREASTPLATE	13AM82, FIRE POINT, EFMO	FIELD COLLECTION	7/8/52	HOPEWELL		UNKNOWN
1	AVL SHARPEWER	TERRACE OF UPPER IOWA RIVER	GIFT	6/27/50	ONEOTA		UNKNOWN
5	COPPER BEADS	13GT30, SHY MAGILL, EFMO	FIELD COLLECTION	8/17/52	HOPEWELL		UNKNOWN



UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

Copy  
UNAF I

This list is based on existing documentation and assessment by NPS staff. Some unassociated funerary objects, sacred objects, and objects of cultural patrimony in NPS collections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects or objects of cultural patrimony may have been unwittingly included in this summary. The National Park Service welcomes information that will refine this summary. Affiliated persons and groups are invited to visit NPS collections to make such determinations.

Attachment

Boyle Up Co  
Dr

Estimated Object Type Number of Objects	Geographic Location	Acquisition Type	Acquisition Date	Probable Archeological Designation	Ethnohistoric (Include Time Period)	Possible Contemporary Affiliation
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MIDWEST REGION

EFFIGY MOUNDS NATIONAL MONUMENT

1 SCRAPER	NE IA	GIFT	6/27/50			UNKNOWN
2 SCRAPER AND 24 SWORD	13AM21, NE IA, O'REGAN TERRACE MOUND 2, NE IA, PAINT ROCK GROUP	GIFT	6/27/50	ONEOTA		UNKNOWN
1 PIPE	13AM21, NE IA, O'REGAN TERRACE	GIFT	8/28/58	ONEOTA		UNKNOWN
3 PROJECTILE POINT	13AM14, NE IA, BURKE'S MOUND	GIFT	6/27/50	WOODLAND, ONEOTA		UNKNOWN
2 ABRADER POT	TERRACE OF UPPER IA RIVER	GIFT	6/27/50			UNKNOWN
1 RED OCHER	LANSING, IA	FIELD COLLECTION	PRE 1970			UNKNOWN
1 POT	13AM37, MD. 36 OR 37, EFMO	GIFT	2/23/58			UNKNOWN
2 PIPE	GLENNWOOD AREA, HILLS CO., IA	GIFT	6/27/50			UNKNOWN
1 RED OCHER	13PM3, KIMBALL MD., PLYMOUTH CO.	GIFT	6/27/50			UNKNOWN
4 RUBBING STONE CONCRETEON PAINT STONE GALENA CRYSTAL	13AM32, MD. 36 OR 37, EFMO	GIFT	2/23/58	EFFIGY MOUNDS		UNKNOWN
6 CATLINITE PIPE STEM AND BOWL 1 CATLINITE	PIPESTONE NH BLACK PIPE CREEK, SD, HELLGT. CO.	GIFT	6/27/50			SIOUX (DAKOTA)
1 PIPE	NE IA	GIFT	11/18/61			UNKNOWN

This list is based on existing documentation and assessment by NPS staff. Some unassociated funerary objects, sacred objects, and objects of cultural patrimony in NPS collections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects, or objects of cultural patrimony may have unwittingly been included in this summary. The National Park Service welcomes information that will refine this summary. Affiliated persons and groups are invited to visit collections to make such determinations.

Object Type	Geographic Location	Acquisition Type	Acquisition Date	Probable Archeological Designation	Ethnohistoric (Include Time Period)	Possible Contemporary Affiliation
<del>1 BREASTPLATE</del>	<del>13AM82, NE IA OR 36, EFMD</del>	<del>FIELD COLLECTION</del>	<del>11/20/59</del>			<del>UNKNOWN</del>
<del>1 NEW ALDIN TABLET</del>	<del>13AM66, NEW ALDIN, IA</del>	<del>GIFT</del>	<del>10/16/60</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>1 ARROW</del>	<del>NE IA</del>	<del>UNKNOWN</del>	<del>5/4/60</del>			<del>SIOUX (DAKOTA)</del>
<del>2 PIPE STEM AND BOWL</del>	<del>UNKNOWN</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>SIOUX (DAKOTA)</del>
<del>2 PIPE STEM AND BOWL</del>	<del>CHAMBERLAIN, SD</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>SIOUX (DAKOTA)</del>
<del>1 NOCCASIO</del>	<del>UNKNOWN</del>	<del>GIFT</del>	<del>6/27/50</del>			<del>SIOUX (DAKOTA)</del>
<del>1 COPPER</del>	<del>NE IA</del>	<del>FIELD COLLECTION</del>	<del>1950</del>			<del>UNKNOWN</del>
<del>1 RED OCHER</del>	<del>13AM190, EFMD</del>	<del>FIELD COLLECTION</del>	<del>7/5/65</del>			<del>UNKNOWN</del>
<del>1 RED OCHER</del>	<del>13CT18, EFMD, SWY MAGILL</del>	<del>FIELD COLLECTION</del>	<del>8/17/52</del>			<del>UNKNOWN</del>
<del>1 COPPER</del>	<del>UNKNOWN</del>	<del>FIELD COLLECTION</del>	<del>PRE 1985</del>			<del>UNKNOWN</del>
<del>1 PIPE BOWL</del>	<del>UNKNOWN</del>	<del>FIELD COLLECTION</del>	<del>PRE 1985</del>			<del>UNKNOWN</del>
<del>1 PIPE BOWL</del>	<del>UNKNOWN</del>	<del>GIFT</del>	<del>1/19/70</del>			<del>UNKNOWN</del>
<del>9 BEADS</del>	<del>13AM57, NE IA</del>	<del>LOAN</del>	<del>4/27/87</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>COPPER BEADS</del>						
<del>COPPER BRACELET</del>						
<del>1 COPPER SERPENT</del>	<del>13AM16, NE IA</del>	<del>LOAN</del>	<del>4/27/87</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>1 PIPE</del>	<del>BLUPPTON, WINNEBAGO CO., IA</del>		<del>4/27/87</del>		<del>HISTORIC WINNEBAGO</del>	<del>UNKNOWN</del>
<del>1 PIPE</del>	<del>NE IA, ALLAMAKEE CO.</del>	<del>LOAN</del>	<del>3/18/87</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>1 PIPE</del>	<del>NE IA, ALLAMAKEE CO.</del>	<del>LOAN</del>	<del>3/18/87</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>1 PIPE</del>	<del>NE IA, ALLAMAKEE CO.</del>	<del>LOAN</del>	<del>3/18/87</del>	<del>LATE WOODLAND</del>		<del>UNKNOWN</del>
<del>1 POT</del>	<del>13AM60, NE IA, MALONE CEMETERY</del>	<del>LOAN</del>	<del>4/27/87</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>1 CORE</del>	<del>13AM150, LUTHER-WENNESSY MD.</del>	<del>LOAN</del>	<del>3/18/87</del>	<del>MIDDLE WOODLAND</del>		<del>UNKNOWN</del>
<del>1 COPPER BRACELET</del>	<del>WOUND 57, EFMD</del>	<del>FIELD COLLECTION</del>	<del>1950</del>	<del>HOPEWELL</del>		<del>UNKNOWN</del>
<del>1 COPPER BREASTPLATE</del>	<del>13AM82, FIRE POINT, SD</del>	<del>FIELD COLLECTION</del>	<del>7/8/52</del>	<del>HOPEWELL</del>		<del>UNKNOWN</del>
<del>1 AXL SHARPENER</del>	<del>TERRACE OF UPPER IOWA RIVER</del>	<del>GIFT</del>	<del>6/27/50</del>	<del>ONEOTA</del>		<del>UNKNOWN</del>
<del>5 COPPER BEADS</del>	<del>13CT18, SWY MAGILL, EFMD</del>	<del>FIELD COLLECTION</del>	<del>8/17/52</del>	<del>HOPEWELL</del>		<del>UNKNOWN</del>

H1815(D)

September 1, 1993

COPY

Memorandum

To: Manager, Midwest Archeological Center  
Attention: Acting Regional Ethnographer

From: Superintendent, Effigy Mounds NM

Subject: Compliance with the Native American Graves Protection  
and Repatriation Act of 1990  
Reply due: September 8      Response directly to MWAC

Enclosed is an updated list of the items in our park collection which are identified for the Servicewide Summary of Unassociated Funerary Objects, Sacred Objects, and Objects of Cultural Patrimony. We have eliminated a number of items from the initial list which was mailed with your August 23, 1993, memorandum.

We have made a photo copy of that list and crossed out the items which we feel, through consultation with park staff and records, should be eliminated from the list. Please contact us if you have any questions about the list or information on the Native American Graves Protection and Repatriation Act.

*Thomas A. Munson*

Thomas A. Munson

Enclosure

October 20, 1993

NATIONAL PARK SERVICE  
Cultural Resources

SERVICEWIDE SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

**Purpose:** The purpose of this summary is to provide information to meet certain requirements of the Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601; 25 U.S.C. 3991-3013; 104 Stat. 3048-3058) (NAGPRA). The Act requires that each museum or Federal agency that has possession or control over collections which may contain unassociated funerary objects, sacred objects, or objects of cultural patrimony provide a summary of these collections based upon available information held by the museum or Federal agency. The purpose of the summary is to provide information about the collections to lineal descendants and culturally affiliated Indian Tribes that may wish to request repatriation of such objects. The summary serves in lieu of an object-by-object inventory of these collections, although, if an inventory is available, it may be substituted.

**Summary Information Categories:** The information provided on the summary is defined as follows:

1. **Estimated Number of Objects:** An estimate (or count if available) of the number of objects of a certain type and with similar documentation.
2. **Object Type:** An object name or generic description of the objects.
3. **Geographic location:** General geographic description of the place where the object was collected. More detailed location information may be in the park files.
4. **Acquisition Type:** A description of how the object was acquired by the National Park Service. Acquisition types are limited to Field Collection, Gift, Loan, Purchase, Exchange, and Transfer. Field collection generally refers to acquisition through archeological methods. A gift is acquisition by donation or bequest. An exchange involves trading objects in the collections for the objects acquired. A transfer refers to a transfer of the object from another National Park Service unit or, rarely, from another Federal agency.
5. **Acquisition Date:** Date the object was acquired by the park unit.
6. **Probable Archeological Designation:** This information is given only for objects that are thought to have been originally collected using techniques typically employed by archeologists (excavation or surface collecting). The terminology usually refers to chronological, stylistic, or assumed cultural attributes. The archeological designation may imply cultural groups.
7. **Ethnohistoric Designation:** This information refers to historic period Indian Tribes or Native Hawaiian organizations thought to be associated with the objects. This affiliation would be the same as the archeological designation, if the objects date from a historic period site.
8. **Possible Contemporary Affiliation:** Based on existing documentation, if any, the possible affiliated present-day Indian Tribe or Native Hawaiian organization is indicated. In some cases existing ethnographic, archival and linguistic information have been consulted to assist in identifying the possible affiliations between past and contemporary people and objects in this summary.
9. **N/A, meaning "not applicable,"** is entered when a park is thought not to possess unassociated funerary objects, sacred objects or objects of cultural patrimony.

**Organization of the Summary:** The summary includes the holdings of the entire National Park Service. It is organized first, by the ten regions of the National Park Service, and second, by park unit. A map of the regions and the locations of the park units is attached.

**Limitations of the Summary:** The summary is based on existing documentation and assessment by National Park Service staff. It lists groups of objects that may contain unassociated funerary objects, sacred objects, and objects of cultural patrimony. Some objects in these categories in National Park Service collections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects or objects of cultural patrimony may have been unwittingly included. The National Park Service welcomes information that will refine this summary to specifically identify unassociated funerary objects, sacred objects and objects of cultural patrimony. Affiliated persons and groups are invited to visit National Park Service collections to make such determinations.

National Park Service  
Cultural Resources

SERVICEWIDE SUMMARY OF UNASSOCIATED FUNERARY OBJECTS, SACRED OBJECTS AND OBJECTS OF CULTURAL PATRIMONY

Note: This list is based on existing documentation and assessment by National Park Service staff. It lists groups of objects that may contain unassociated funerary objects, sacred objects, and objects of cultural patrimony. Some objects in these categories in National Park Service collections may have been inadvertently omitted. Likewise, some objects that are not unassociated funerary objects, sacred objects or objects of cultural patrimony may have been unwittingly included. The National Park Service welcomes information that will refine this summary to specifically identify unassociated funerary objects, sacred objects and objects of cultural patrimony. Affiliated persons and groups are invited to visit National Park Service collections to make such determinations.

Estimated Object Type Number of Objects	Geographic Location	Acquisition Type	Acquisition Date	Probable Archeological Designation	Ethnohistoric Designation (Include Time Period)	Possible Contemporary Affiliation
MIDWEST REGION						
EFFIGY MOUNDS NATIONAL MONUMENT						
1	SCRAPER	NE IA	GIFT	6/27/50		UNKNOWN
2	SCRAPERS, AWL	13AM21, NE IA, O'REGAN TERRACE	GIFT	6/27/50	ONEOTA	UNKNOWN
24	SHERDS	MOUND 2, NE IA, PAINT ROCK GROUP	GIFT	6/27/50	LATE WOODLAND	UNKNOWN
3	PROJECTILE POINTS	13AM14, NE IA, BURKE'S MOUND	GIFT	6/27/50	WOODLAND, ONEOTA	UNKNOWN
2	ABRADERS, POT	TERRACE OF UPPER IA RIVER	GIFT	6/27/50		UNKNOWN
1	RED OCHER	LANSING, IA	FIELD COLLECTION	PRE 1970		UNKNOWN
1	POT	13AM83, MD. 36 OR 37, EFMO	GIFT	2/23/58		UNKNOWN
1	RED OCHER	13PM3, KIMBALL MD., PLYMOUTH CO.	GIFT	6/27/50		UNKNOWN
4	RUBBING STONE, CONCRETION, PAINT STONE, GALENA CRYSTAL	13AM82, MD. 36 OR 37, EFMO	GIFT	2/23/58	EFFIGY MOUNDS CULTURE	UNKNOWN
1	PIPE	NE IA	GIFT	11/18/61		UNKNOWN
1	COPPER	NE IA	FIELD COLLECTION	1950		UNKNOWN
1	RED OCHER	13AM190, EFMO	FIELD COLLECTION	7/5/65		UNKNOWN
1	RED OCHER	13CT18, SHY MAGILL, EFMO	FIELD COLLECTION	8/17/52		UNKNOWN
1	COPPER	UNKNOWN	FIELD COLLECTION	PRE 1985		UNKNOWN
1	PIPE BOWL	UNKNOWN	FIELD COLLECTION	PRE 1985		UNKNOWN
1	PIPE BOWL	UNKNOWN	GIFT	1/19/70		UNKNOWN
1	POT	13AM60, NE IA, MALONE CEMETERY	LOAN	4/27/87	ONEOTA	UNKNOWN
1	CORE	13AM150, LUTHER-HENNESSY MD.	LOAN	3/18/87	MIDDLE WOODLAND	UNKNOWN
1	AWL SHARPENER	TERRACE OF UPPER IOWA RIVER	GIFT	6/27/50	ONEOTA	UNKNOWN

**NATIONAL PARK SERVICE**  
**EFFIGY MOUNDS NATIONAL MONUMENT [MW]**  
**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT**  
**INVENTORY**

**11/10/1995**

**Listing of Human Remains and Associated Funerary Objects  
For Which No Culturally Affiliated Present-Day Indian Tribe  
Can Be Determined**

The following inventory concerns human remains and associated funerary objects for which the NPS is responsible. No items have been determined to be culturally affiliated with present-day Indian tribes. The determination of cultural affiliation was based upon information obtained from NPS museum records, cultural affiliation specialists, and consultation with representatives of the present-day Indian tribes as noted below. Additional information may be on file.

**ID #** 1

**Context Synopsis:** Dale Henning, assisted by Tim Mason, a member of Effigy Mounds staff, was contracted to repair vandal damage to Mound 43 of the Sny Magill Unit, Effigy Mounds NM. Documentation includes a report by Dale R. Henning (1991) titled "Archeological Evaluation of Damage to Mound 43 Sny Magill Unit Effigy Mounds NM, Iowa, on file at the Midwest Archeological Center.

**Accession Data:** MWAC accession no. 569; EFMO accession no. 147

**Provenience:** 13CT18 [SNY MAGILL MOUND NO. 43]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 15

---

**Item:** BONE

**State Site No:** 13CT18 **SubContext:**

**Within Site Prov:** SNY MAGILL MOUND NO. 43 **Catalog #:** EFMO 9917

**Measurement:** **Item Count:** 15 **Item Qty:** 0 **Storage Unit:** EA

**Description:** HUMAN REMAINS FOUND IN THE 1991 LOOTING OF SNY MAGILL MOUND NO. 43.

**Cultural Identity:** **Identified by:** HENNING, DALE R.,

**Date/Period:**

---

**ID #** 2

**Context Synopsis:** One bundle burial excavated from a conical mound in the "Devils Den Mound Group." Because of research conducted by (b) (6), (b) (7)(C) at Effigy Mounds during October, 1994, and through correspondence with Robert Bray, the Devils Den Mound Group, also known as the Marquette-Yellow River Mound Group No. 2, on the bluffs between Marquette and Yellow River has been confirmed as the site from which the burial was removed.

**Accession Data:** MWAC accession no. 35; EFMO accession no. 12

**Provenience:** 13CT50 [DEVIL'S DEN MOUND GROUP]

**Cultural Affiliation:** unknown

**Assigned by:** Nickel, Robert, Supervisory Archeologist, NATIONAL PARK SERVICE

**Total Catalog Recs:** 1 **Total Items:** 0

---

**Item:** BUNDLE BURIAL

**State Site No:** 13CT50 **SubContext:**

**Within Site Prov:** DEVIL'S DEN MOUND GROUP **Catalog #:** EFMO 9916

**Measurement:** **Item Count:** 0 **Item Qty:** 1 **Storage Unit:** BX

**Description:** ABOUT 94 WHOLE AND FRAGMENTARY BONES, SOME ARE WRAPPED AND SOME ARE PLASTER JACK ETED.

**Cultural Identity:** **Identified by:**

**Date/Period:**

---

**Appendix E**  
**Items on Loan to Pipestone National Monument**





IN REPLY REFER TO:

# United States Department of the Interior

NATIONAL PARK SERVICE

PIPESTONE NATIONAL MONUMENT

P.O. BOX 727

PIPESTONE, MINNESOTA 56164

AREA DISTRIBUTION	
TO	INITIALS
Superintendent	
Park Manager	
Admin. Asst.	
Clerk Typist	
Park Jan	
Maintenance	
Laborers	

SEP 27 1985

H20

September 25, 1985

## Memorandum

To: Superintendent, Effigy Mounds National Monument

From: Superintendent, Pipestone National Monument

Subject: Loan of Museum Specimens

In accordance with your request of September 19, 1985 we are returning the Form 10-127, Loan of Specimens. We have all three items listed, on display in our museum at Pipestone. These items have been on display since their receipt in 1958 and show no deterioration or damage as of this date.

The items listed, EFMO No. 200, EFMO No. 201, and EFMO No. 202, have been incorporated into the museum catalog at Pipestone. They have been given accession number 41, and include catalog numbers PIPE16 (EFMO 200), PIPE66 (EFMO 201), and PIPE67 (EFMO 202). The items are listed as indefinite loans; appropriate forms will be sent shortly.

Also enclosed, please find some background information regarding the items on loan. This information is included in our accession files. The tag, giving background to the tomahawk pipe, apparently accompanied the item and will be preserved.

Photographs of these objects have also been enclosed. As the items are a part of a permanent display they were photographed in situ.

Vincent Halvorson

Enclosures

EFFIGY MOUNDS NATIONAL MONUMENT  
MCGREGOR, IOWA

January 2, 1958

Memorandum

To: The Director  
From: Superintendent, Effigy Mounds National Monument  
Subject: Pipes from Orr Collection for Pipestone Museum

In accordance with instructions contained in November 26, 1957 memorandum from Chief of Interpretation Gregg, Region Two, and a clarification from Region Two Director Baker on December 18, 1957, we are sending by registered mail, under this date, the three specimens requested.

These specimens are listed in the Orr catalog as follows:  
No. 104. "Pipe tomahawk of English make, that had been acquired by traders by the Indians in early day. Found by a Norwegian settler near the boundary line between Houston and Fillmore counties, Minnesota. Was given by the son of the finder to Mr. Will Thompson of Preston, Minn., and sold by him to me June, 1914 for \$25.00. A field find."

P. 16. "Pipe made by Sioux Indians of the Pine Edge Reservation, S. Dakota. Bowl of the material found on Black Stone creek, in Melitte county, known as Black Hills Pipestone."

P. 30. "Pipe purchased of Mr. Waters of Waukon, Ia. It was given to his father just at the close of the Civil War by Mr. John Williamson who served in Company F of the 6th Cavalry, and was with Gen. Sully in his campaign against the Sioux Indians who perpetrated the Sioux massacre at New Ula, Minn., and picked up this pipe on one of the battlefields."

Walter T. Berrett  
Superintendent

Copy to: Regional Director, Region Two  
Supt., Pipestone

21 25  
16  
A 41

c-66

c-67

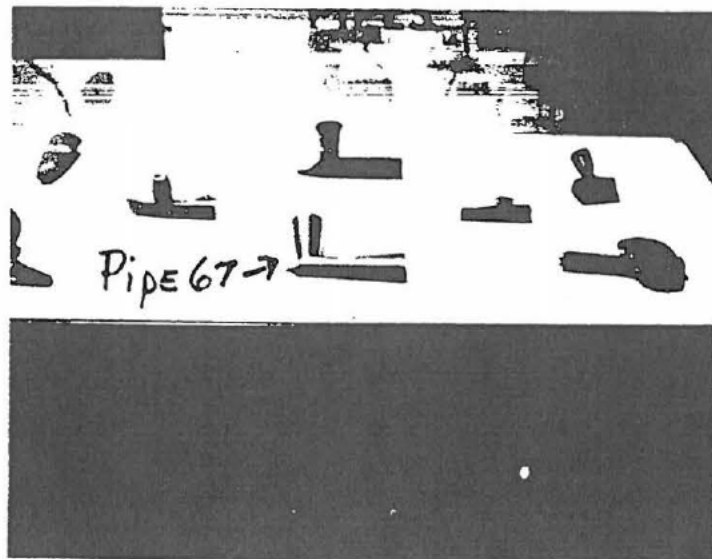
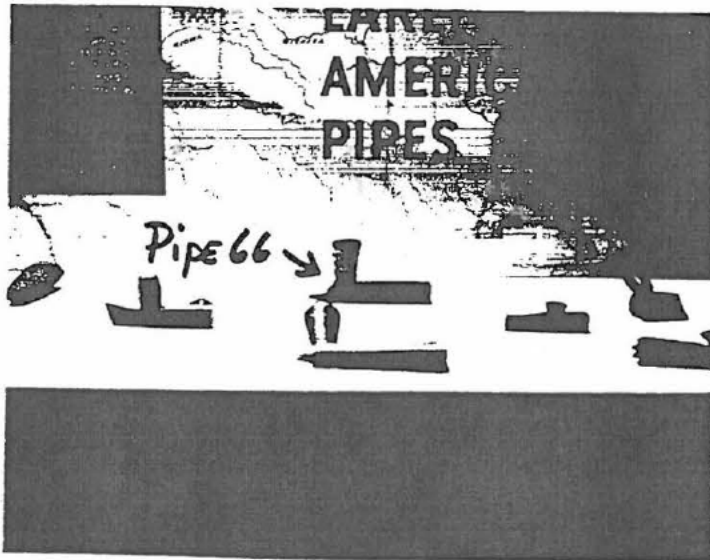
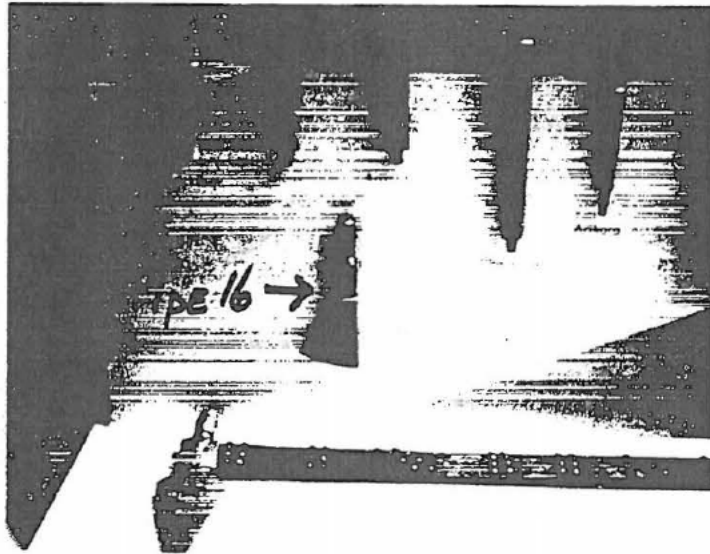
#104

A-41  
P.M. C-66

This Tomahawk-pipe  
was found in a field  
near the boundary line  
between Honston and  
Fillmore Counties,  
Iowa, directly East-  
of Praction, by an early  
settler, a farmer, prob-  
ably in the 1860s or  
'70s. After his death,  
in settling his estate  
there was a sale of his  
personal property.

Mr. Gray of  
Praction, who attended  
it found the pipe  
among some odd  
and ends in the  
farm shop. This was  
about 1900, I purchased  
it from him about 1910  
for \$20.00

Ellison Orr



**Appendix F**  
**Incoming Loan Record, EFMO**

**4. Based on the FY95 Collection Management Report, there are five outgoing loans, representing a total of 457 objects. Are any of the loans to the Midwest Archeological Center in Lincoln, NE?**

*The actual number of outgoing loans may exceed that reported on the FY95 collection Management Report. There appears to be four outgoing loans to MWAC alone although they are not correctly annotated with accession forms. Accession 12 contains material that is located in the park along with a bundle burial formerly on exhibit in the museum. The burial is now housed at MWAC but the other portions of Accession 12 are at the park. Accession 142 contains items from excavations of mounds and explorations of rockshelters by Dale Henning done under contract from MWAC. This material is all housed at MWAC; no supporting documentation is in the accession folder except for a handwritten note stating what the accession is. Accession 145 is photos and field records from magnetometer surveys done by Jan Dial-Jones of MWAC. All this material is also at MWAC. Also this accession is only documented by a handwritten note in the accession folder. Accession 148 is human remains recovered from a vandalized mound in the park. Possibly it was recovered by Dale Henning under contract to MWAC. This is one of the accession folders that is missing. None of these accessions have outgoing loan forms and are not correctly labeled outgoing loans in the Accession Book.*

**5. There are eight incoming loans entered in the Accession book. Briefly describe the nature of these loans ( number of objects and source of accession, date of loan, etc.).**

*It appears that there are a possible ten incoming loans. Accession 6 was pre-1956. It is a restorable Woodland pottery vessel loaned to the park by Gordon Peckham of Prairie du Chien, WI. Mr. Peckham was a local lay archeologist. The accession book labels it as an indefinite loan.*

*Accession 7 is also pre-1956. It is a restored Oneota pottery vessel loaned to the park by Dr. H.P. Fields (one time colleague of Ellison Orr) of Decorah, Iowa. The Accession Book labels it as an indefinite loan.*

*Accession 22 has a date of 7/22/59. It was a copper celt and awl on indefinite loan from the State Historical Society of Wisconsin. Actually, the Accession Book and accession folder needs to be updated on this material. This accession was deaccessioned back to the State Historical Society as the terms of the incoming loan agreement were no longer valid, i.e. exhibit. Supporting documentation including a Report of Survey is in the accession folder.*

*Accession 27 has a date of 11/15/59. This was a collection of copper beads, blue trade beads, celt, ax, copper bracelets and a projectile point. This was a temporary loan from Gavin Sampson of Decorah, Iowa. This material has been returned.*

*Accession 32 is an indefinite loan with a date of 9/8/60. It is a Madison cord impressed pot loaned by Dr. Leland Cooper of Hamline University through the Department of Anthropology at the University of Wisconsin-Madison.*

*Accession 40 has a date of 10-1-64 which is a stone celt from Denise Thornburg of Prairie du Chien, WI. Notes in the Accession Book and accession folders suggests that this may have been a gift in which the donation letter was never returned.*

*Accession 96 has a date of 1954. It is a restorable pot. The Accession Book has a pencil annotation that it is an indefinite loan; no supporting documentation.*

*Accession 132 has a date of 4-11-67. It is a copper spear point from James B. Gilroy of Lost Nation, Iowa. Evidence suggests it may be a gift.*

*Accession 138 has a date of 4-27-87. It is 92 exhibit items from Luther College.*

*Accession 139 has a date of 3/18/87. It contains 3 pipes, 2 bear teeth, 1 blade, 2 pots and 1 worked bone. The Accession Book indicates it is from the State Historical Society of Iowa in Des Moines. However, documentation in the accession folder including signatures indicates that it is from the Office of the State Archeologist in Iowa City. Possibly it is a secondary loan from the State Historical Society through the Office of the State Archeologist.*

*Some of the incoming loans may actually have been gifts that were incorrectly identified as loans.*

**6. Does the park have the microcard version of Orr's Iowa Archeological Reports 1934-1939 published in 1963?**

NO.

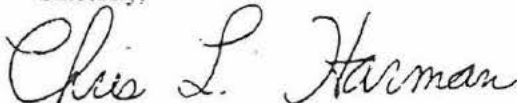
**7. Are there any active collecting permits? Is there a file containing records of previously issued permits?**

No active permits. Park has records of previously issued permits in the general park files.

The responses to these questions were obtained in consultation with our Administrative Clerk, (b) (6), (b) (7)(C) who as a seasonal ranger worked with the collection for a number of years.

If you have any questions, please call me at 319-873-3491.

Sincerely,



Chris Harman  
Park Ranger

[33] From: Jeff Richner at NP-MWAC 1/29/96 1:30PM (7029 bytes: 1 ln, 1 fl)  
To: Karen Gustin at NP--MWR  
cc: Mark Lynott, Vergil Noble, Michelle Watson  
Subject: EFMO purchase orders

----- Message Contents -----

Text item 1:

Karen,

As a follow up to our telephone conversation last week, I have compiled a list of all purchase orders issued at MWAC that have involved work at EFMO. That list, and a second page containing some brief notes and observations, are in the attached file. I will speak to the folks at Luther College to confirm what they hold from EFMO, although it appears to me that it must be the artifacts from work conducted by Dale Henning at Sny Magill and 4 rockshelter sites (under PX 6115-7-0223). I am mailing to you the ARPA permit project documentation that we discussed along with photocopies of the purchase orders that resulted in some form of excavation activities. If you want copies of any of the others, please let me know.

Please note my question at the end of the file regarding the disposition of numerous human skeletal elements from various park mound proveniences. Those skeletal remains were studied and reported under one of the purchase orders (PX 6115-6-0166). At the time of the study, the materials, which were in several different park accessions, were all housed at the park. I assume that there is documentation at the park for some form of transfer of "ownership" of the skeletal remains, since they were not listed in the park's NAGPRA report.

I will keep you fully informed about the Luther College collections issue as I learn more.

Jeff Richner



Most of the PX work did not result in archeological collections. The following projects are known (or are assumed) to have resulted in collections:

I would assume that the Ferguson Tract surveys (conducted by Mallam) resulted in artifact collections, but there are no accessions for those materials at MWAC. Since this tract is outside the park, the land owner is the rightful owner of any artifacts (unless he would have donated them to the NPS or Luther College).

The Luther College (Dale Henning) Sny Magill study and rockshelter testing project (PX 6115-7-0223) resulted in collections. MWAC has records from the project, including notes and other materials, but does not have the artifacts. The records are in MWAC Accession 433. These materials have been entered into ANCS. Human bone was recorded during this project, but the report indicates that the materials were not excavated, and were covered with soil after discovery. However, an artifact tabulation in the report lists the human bone fragments, indicating a slight possibility that some fragments may have been collected. According to Supt. Gustin's discussion with Luther College staff, the artifact collection from this PX appears to reside at the lab at Decorah.

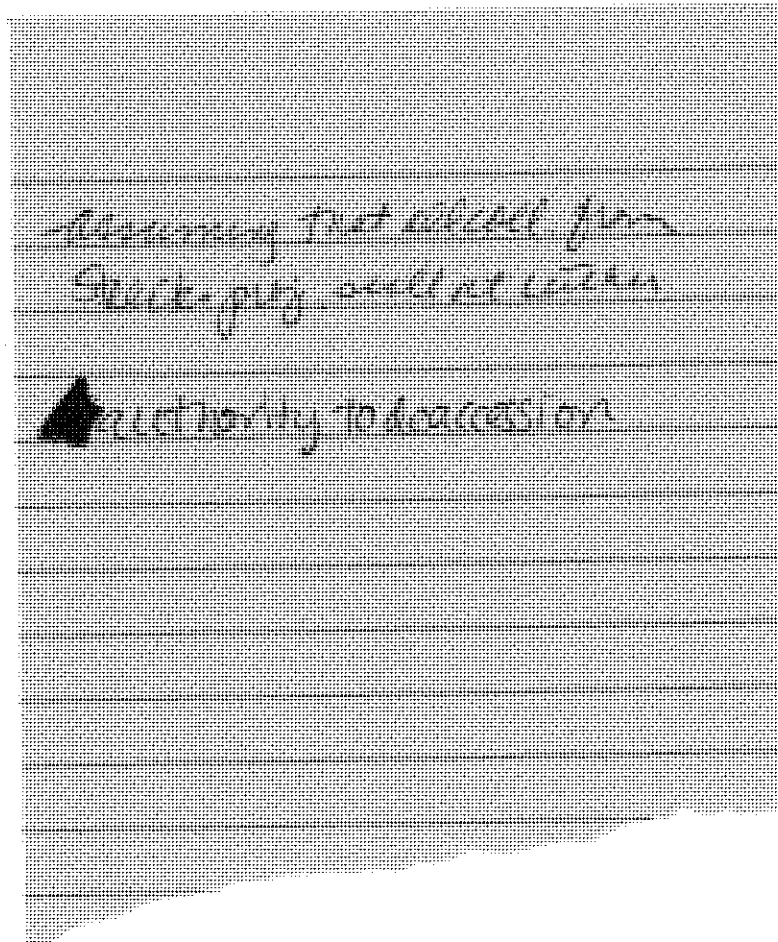
During the 1990 Sny Magill looting study (Mounds 62 and 68, PX 6115-0-0117) -- a single artifact (chipped stone debitage) was collected. A letter in the PX file indicates that this artifact and all project records were sent to MWAC 4/11/91. I am still checking on this material.

The other Sny Magill looting study (Mound 43, PX 6115-1-0076) in 1991 resulted in collection of 15 human bone fragments sent to MWAC 12/91. They are part of MWAC accession 569. They are stored with MWAC Accession 35 (a bundle burial) in the vault. This accession has been cataloged.

\*\*\* One of the other purchase orders, although not resulting in collections, is worthy of note. PX 6115-6-0166 was for a study of the human remains in the park collections at EFMO. I note in a quick check of the Table Of Contents for this report that human skeletal remains are recorded for several EFMO accessions for sites within the park. Others are for material from sites outside the park. A letter in the PX file indicates a plan to arrange for repatriation of the non-park materials. I am wondering what happened to the numerous skeletal materials that are from park proveniences (i.e., park accessions 1, 5, 16, 53, 78, 106, 107, 109, and 111). \*\*\*

List of Purchase Orders for EFMO archeological projects:

#	Description	Vendor	Date
4970L10660	C14 samples		1971
PX 6115-5-0100	Ferguson Survey 1	Luther Coll.	6/75
PX 6115-0-135A	Ferguson Survey 2	Luther Coll.	9/80
PX 6115-6-0166	Skeletal Analysis	U. Iowa	9/86
PX 6115-6-0201	Aerial Photos	Aerial Serv.	9/86
PX 6115-7-0214	Mapping	Chuck's Surv.	9/87
PX 6115-7-0223	Sny Magill & rocksh.	Luther Coll.	9/87
PX 6115-7-0224	Geomorphology	Iowa DNR	9/87
PX 6115-7-0225	Land Use History	Oneota Ent.	9/87
PX 6115-8-0142	Constr. map grid	Luther Coll.	5/88
PX 6115-8-0143	S. Magill mag. survey	Medynski	5/88
PX 6115-0-0117	S. Magill looting	Luther Coll.	8/90
PX 6115-1-0076	S. Magill looting	Luther Coll.	7/91



[35] From: Michelle Watson at NP-MWAC 2/6/96 10:06AM (755 bytes: 15 ln)  
To: Karen Gustin at NP--MWR  
Receipt Requested  
Subject: note on remains

----- Message Contents -----

Karen,

Hi!! A quick note on that report I phoned you about. On the introduction page, it states: "At the completion of this analysis, all human remains from sites within the Effigy Mounds National Monument will be returned to the Park Service. All human remains from sites outside Monument boundaries will be reinterred by the Office of the State Archaeologist in the state cemetery developed for that purpose."

So, with regards to your question of "Where are the remains?," they should be in collections.

Let me know what you find out. Call if I can help.

Many Thanks.

*Copy the  
report (3 pp)*

THE ANALYSIS OF HUMAN SKELETAL REMAINS FROM THE MUSEUM COLLECTION

AT EFFIGY MOUNDS NATIONAL MONUMENT

Alton K. Fisher and Shirley J. Schermer  
Office of the State Archaeologist  
The University of Iowa, Iowa City

02-05-96  
Karen -  
FEB 07 1996  
The Report  
Thanks -  
Michelle

40-437-608

Wm 2-7-68  
file: reinter

(437)

Analysis of documents -

- handwritten in

left column

Duplicate document

Ed - control - special

use permit -

all the documents

all documents are in

CIA - documents

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Adria Andria

1780-1840

1780-1840  
to 1840

1780-1840

Two years later - HOW  
many human resources  
+ submitting them to  
our collections

Jan

slafin

Didn't want to

Mark wanted some, kept  
some - didn't together

Worms said -

Disruption in my life  
under one girl

meant had acc. human

services

(let nickel

Mark got - Did not want to return

remains wanted to keep some

collection →



[17] From: Karen Gustin at NP--MWR 2/8/96 3:20PM (2477 bytes: 10 ln, 1 fl)  
To: Michelle Watson at NP-MWAC, Tom Thiessen at NP-MWAC, Jan Dial-Jones at  
NP-MWAC

Subject: Status of Human Remains

----- Message Contents -----

Text item 1:

Hi to all of you - Attached is a wp file detailing my conversations with Shirley Schermer and Tom Munson. It was a little difficult talking with Tom - I think he was on a cellular phone and it was hard to hear him. I tried to concisely put together his thoughts.

Let me know what you find out. Thanks.

Karen

2/9/96-

According to Michelle, anything deaccessioned before  
NAGPRA was enacted does not require follow up.

2/8/96

Memorandum of Conversation(s)

On 2/8/96, I contacted Shirley Schermer from the Office of State Archaeology in regards to human remains analyzed 9/86. A report was prepared called "The Analysis of Human Skeletal Remains from the Museum Collection at the Effigy Mounds National Monument." This was done under PX-6115-6-0166. Twenty different accessions were analyzed, some retrieved from within the park, and some retrieved outside of the park. All at one time were part of EFMO's collection.

I asked Shirley what happened to the remains retrieved from outside the park. She said that they were reinterred in a state cemetery. She said the remains that were retrieved within the park were analyzed, then returned to Effigy Mounds, and she believes, were transferred to Lincoln.

I then talked with Tom Munson, the previous superintendent. At that time, he said that the park was working with Mark Lynott and Bob Nickel, who wanted to keep the remains in EFMO's collection. Tom's position as superintendent, was that he did not want any human remains under the park's jurisdiction. Tom said that Adrian Anderson (sp?) at the Office of State Archaeology was the person at the time that the park was dealing with. Tom said that everything was given back to the Office of State Archaeology for reinterment, or was sent to MWAC. Tom also mentioned that some items were kept by the OSA under a special use permit because there was some evidence of cannibalism. I did not confirm this with Shirley.

## Deaccession Issue

- 1) 11/1971 loaned to MWAC see 29 pp. yellow pp.  
Accessioning + cataloging (no return signature/dates)  
on loan form.

Included in "Loan of Specimens" file

- 2) 5/87 portions of Access 8 to Office of State Archeo. Uof IA  
returned to EFMO 3/90 (in closed file H2017)
- 3) 4/1987 MWAC reviewed report by State Archeo.  
obj. returned to park
- 4) letters (NPS) regarding consultations pre NAGPRA  
(11/1986) and disposition of human remains
- \*5) 10/1986 - 5/1987 loan of human remains to  
State Archeo. Note list of Access. are included  
on deac. list (2 copies of loan form in file)
- 6) 11/1986 letter from State Archeo w/changes (addition  
to loan items - human remains)  
- No indication on loan form whether materials were  
returned (?) (response)
- 7) 12/1986 letter from Maria Pearson to EFMO  
Supt re: human remains
- 8) letter 9/86 and D3-1 for analysis work done  
by State Archeo.
- 9) 8/86 letter from EFMO Supt to Maria Pearson  
re deac.
- 10) Could be that ~~the~~ human remains were reburied  
and deaccessioned after the fact.

11) WHITE PAPER 5/1985 re: disposition of  
HUMAN REMAINS

CMR for 86 and 90 should have deaccess. info

Copies of this  
correspondence  
copy

# Analysis of Human Remains

Mound 55

Smy Magill Mound 7  
etc.

PX 4115-6-0166 POTRM HWAC.

- We asked them to do the work

UNIV. OF IA 1986

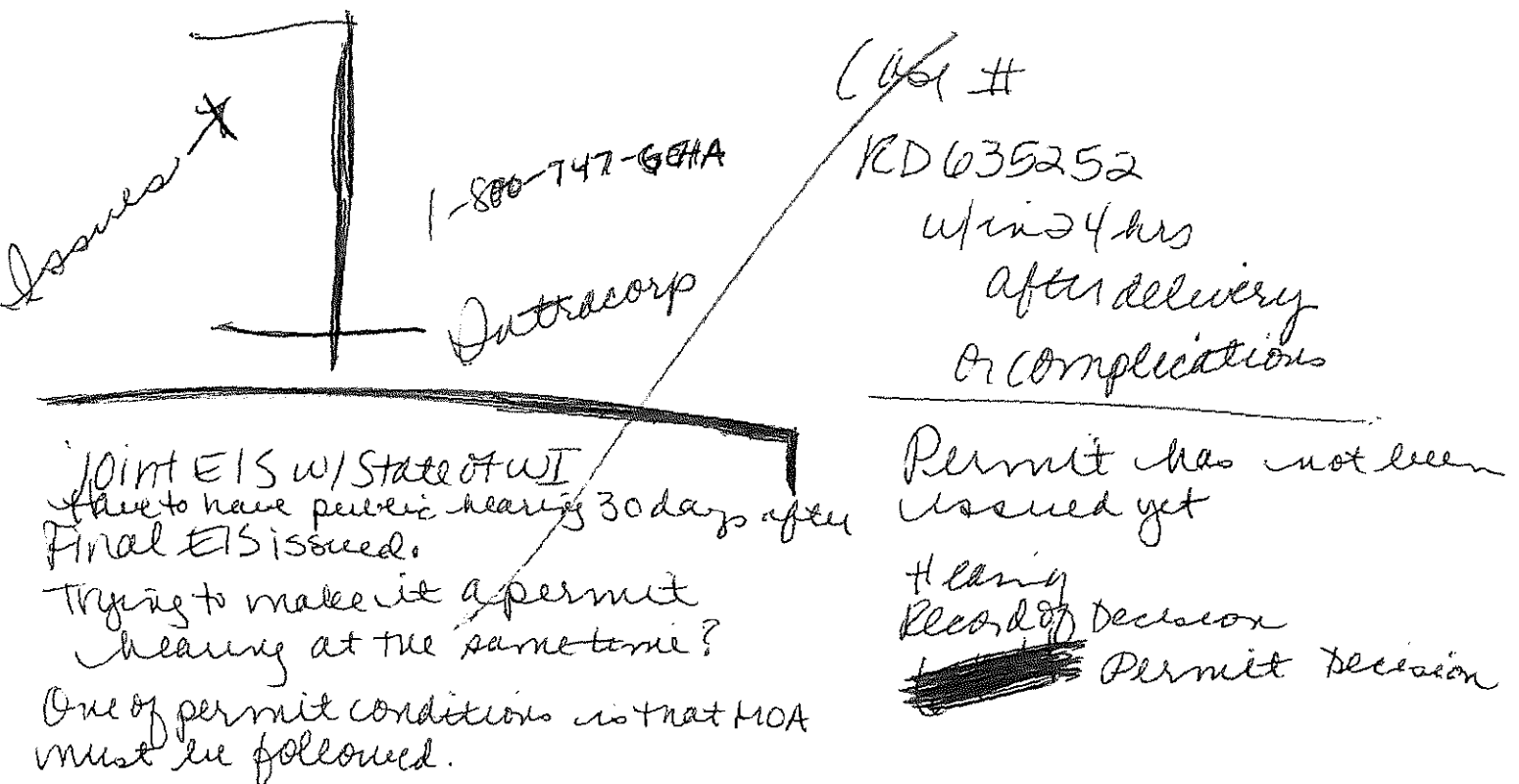
The Analysis of Human  
Skeletal Remains from  
the museum  
collection at IFMO

Alton & K. Fisher

Shirley J. Scherman

Sharon thinks remains were deaccessioned and  
given to Univ. of IA

2939



[75] From: Michelle Watson at NP-MWAC 2/20/96 12:41PM (969 bytes: 27 ln)  
To: Karen Gustin at NP--MWR  
Receipt Requested  
cc: Michael J Evans at NP-MISS  
Subject: Re: note

----- Message Contents -----

Karen,

Thanks, but I'll let you handle this when you return. If you need help just give us a call.

Many Thanks.

---

Karen,

Just checking in. Any news on the accessions in the Skeletal Analysis report of 1986?

Is there anything we can do?

Thanks.

Michelle - No; I was out sick the last two days with a deadly cold. Im back, but leaving in twenty minutes for the weekend. I will be in my office next Thursday and Friday and can call Shirley Schermer then, OR if you need to know sooner, it's fine with me if you want to contact her. Her number is OSA, 319-335-2389. Just let me know what you do. Thank!

karen

FACSIMILE TRANSMITTAL FROM



DATE: 2/23/96

TO: Michelle Watson

FROM: Karen Gustin

NUMBER OF PAGES (INC. COVER) 2

REMARKS: Michelle - Here is the list of items deaccessioned from the 1986 study - We had it in

IF THERE IS A PROBLEM WITH TRANSMISSION CALL 319-873-3491

the ~~the~~ accession book.

Call if you have questions

*out*

Acc. 70

4083	4161	4268	4315	4350	4379	4494
4109	4162	4279	4316	4351	4382	4495
4110	4170	4290	4318	4352	4383	4497
4111	4171	4291	4319	4353	4390	4499
4112	4172	4292	4320	4354	4393	4501
4113	4173	4293	4322	4355	4398	4506
4114	4187	4294	4323	4356	4399	4526
4115	4188	4295	4325	4357	4444	4527
4116	4190	4296	4326	4358	4445	4531
4117	4191	4298	4327	4359	4446	4532
4118	4210	4299	4328	4360	4448	4533
4119	4212	4300	4329	4361	4455	4538
4120	4213	4301	4333	4362	4457	4540
4121	4215	4302	4334	4363	4464	4543
4122	4218	4303	4335	4364	4468	4547
4125	4219	4304	4338	4365	4472	4550
4126	4221	4305	4339	4366	4473	
4129	4223	4306	4340	4367	4474	
4130	4224	4307	4341	4368	4475	
4132	4227	4308	4342	4369	4478	
4134	4230	4309	4343	4370	4479	
4135	4236	4310	4344	4371	4480	
4137	4242	4311	4345	4372	4483	
4138	4246	4312	4346	4373	4489	
4140	4249	4313	4347	4376	4490	
4147	4252	4314	4348	4377	4493	

Acc. 13 - 341, 342

Acc. 72 - 591

Acc. 87 - 515-577, 581

Acc. 49 - 2996, 2997, 3026, 3087, 3132, *3021, 3115*

Acc. 48

5817	5855	5866
5818	5857	5868
5821	5858	5869
5827	5859	5871
5848	5860	5872
5849	5861	
5850	5863	
5851	5864	
5852	5865	

Acc. 2  
514

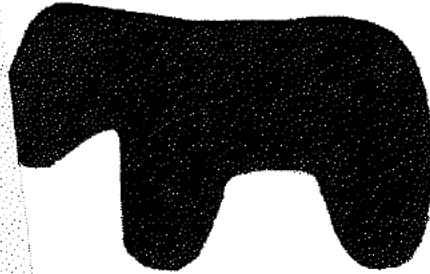
Also deaccessioned are uncataloged portions of Accession numbers 14, 44, 48, 50, 51, and 77.



FACSIMILE TRANSMITTAL FROM

402-437-5098

**EFFIGY MOUNDS**



**ATIONAL MONUMENT**

DATE: 3/14/96  
TO: Michelle Watson  
FROM: Karen Gustin  
NUMBER OF PAGES (INC. COVER) 3  
REMARKS: Per our phone conversation.

IF THERE IS A PROBLEM WITH TRANSMISSION CALL 319-873-3491

THE UNIVERSITY OF IOWA



MAR 11 1996



March 8, 1996

Karen Gustin, Superintendent  
 Effigy Mounds National Monument  
 151 Hwy. 76  
 Harpers Ferry, IA 52146

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	KG
<input type="checkbox"/> Chief, I, VS & P	
<input type="checkbox"/> Chief, Maint.	
<input type="checkbox"/> Admin. Mgr.	
<input type="checkbox"/> Res. Mgr.	
<input type="checkbox"/> Admin. Clerk	

Dear Ms. Gustin:

I enjoyed meeting you yesterday. As you requested, I have enclosed copies of various correspondence concerning our analysis of the human remains from Effigy Mounds National Monument in 1986 and 1987, as well as a copy of the loan form with James David's signature acknowledging the receipt of the remains we were to return to Effigy Mounds, dated May 1, 1987. I have included copies of the inventories of the accessions that were returned. I looked through a number of files but could not find correspondence that the remains we returned to EMNM were transferred to Lincoln. I do, however, have a strong recollection of being told that they had been (or were going to be) transferred there. My recollection is that at the time, the National Park Service did not particularly want to rebury them, so the remains were going to be reposed at the center in Lincoln.

I hope this information will be helpful. Please call if you have any questions about the enclosed material.

Sincerely,

Shirley J. Schermer  
 Burials Program Director

COPY



United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 Hwy. 76  
Harpers Ferry, Iowa 52146-7519

IN REPLY REFER TO:

H22 (EFMO)

March 12, 1996

Shirley Schermer  
Burials Program Director  
Office of the State Archaeologist  
303 Eastlawn  
Iowa City, Iowa 52242-1411

Dear Shirley:

I too enjoyed meeting you last week. Thank you for providing me with copies of the correspondence you had on file concerning the human remains from Effigy Mounds in 1986 and 1987. Could you send me a list of the accession numbers for the remains that were collected outside the park and buried in the state cemetery? I am trying to make the accession numbers you have correspond to the accession numbers we have in our files for remains collected inside and outside of the park.

I appreciate your help.

Sincerely,

Karen Gustin  
Superintendent

FACSIMILE TRANSMITTAL FROM



DATE: Michelle Watson

TO: 3/25/96

FROM: Karen Gustin

NUMBER OF PAGES (INC. COVER) 2

REMARKS: Michelle - Also sent you a message  
on cc:mail regarding some

IF THERE IS A PROBLEM WITH TRANSMISSION CALL 319-873-3491

conclusions to all of this -

THE UNIVERSITY OF IOWA

MAR 22 1996



AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	
Chief, I, VS & P	
Chief, Maint.	
Admin. Mgr.	
File. Mgr.	
Admin. Clerk	
<input checked="" type="checkbox"/> OFFICIAL FILE	

March 20, 1996

Karen Gustin, Superintendent  
 Effigy Mounds National Monument  
 151 Hwy. 76  
 Harpers Ferry, IA 52146

Dear Karen:

According to our records, accession numbers 13, 14, 44, 48, 49, 50, 51, 70, 77, and 87 came from sites outside of the Effigy Mounds National Monument property boundaries and were reburied by OSA in our eastern cemetery except for accessions 14, 51, and 77. Accession 14, 13AM59, and Accession 51, 13WH35, have not yet been reburied, because we received additional material from these sites from other repositories just prior to the reburial of the other remains. The decision was made at the time to postpone reburial of the remains from these two accessions until the additional material was ready for reburial. The remains from these two sites are included in our NAGPRA inventories. Accession 77, Karnopp Mound Group, came from site 47-Cr-5 in Wisconsin. The human remains from this accession were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state.

Accession numbers 1, 5, 8, 16, 53, 78, 106, 107, 109, and 111 came from inside the EMNM boundaries and were returned to EMNM at the conclusion of our analysis and write-up. Let me know if you need more information.

Sincerely,

Shirley J. Schermer  
 Burials Program Director

[20] From: Karen Gustin at NP--MWR 3/25/96 1:05PM (1955 bytes: 47 ln)  
To: Michelle Watson at NP-MWAC  
Subject: EFMO Accessions

----- Message Contents -----

Michelle - I have received more information from OSA regarding accessioned items collected from within and outside the park, their disposition, etc. Here are my findings:

These are notes from OSA files:

Items returned by OSA from within the park - returned on 5/1/87  
Accession numbers 1,5,16,53,78,106,107,109,111  
Accession 8 returned on 2/28/90

Items collected from outside the park, reburied by OSA in an eastern IA cemetery.  
Accession 13,14,48,49,50,70,87  
Accessions 44 and 51 - not reburied, OSA is to receive addl material to add to reburial  
Accession 77 - Karnopp Mound Group came from site 47CR5 in Wisconsin, transferred to State Historical Society in Wisconsin in 87 for reburial in Wisconsin.

After comparing the above notes, which came from Shirley Schermer, with EFMOs deaccession records, my findings are:

Acc 72 and Acc 2 are items collected outside the park and deaccessioned from our collection, but they do not appear on OSA's list of items collected from outside the park.

Acc 95 and Acc 132 are items collected outside the park and deaccessioned according to our files, but OSA does not have them noted on any of their lists as coming from inside or outside the park.

Acc 110 are items collected within the park and deaccessioned by us, but they are not on OSA's list as items returned to the park.

This should account for all the accession numbers on OSA's list and our deaccession records. As we talked on the phone, we are unsure of the location of the items collected from within the park and deaccessioned from our collection in July 1990.

Let me know if we need to do anything else.

Karen

DI-103  
(Rev. Sept. 1987)

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
  
REPORT OF SURVEY

Sheet 1 of 1  
Report No.  
RS-6290-0-0002  
Date  
7/16/90

Originating Office and Telephone No. (include area code)  
Effigy Mounds National Monument  
Rural Route 1, Box 25A (319) 873-  
Harpers Ferry, IA 52146 3491

Accountable Office and Location  
Effigy Mounds National Monument  
Rural Route 1, Box 25A  
Harpers Ferry, IA 52146

The following items are: (check one)  Lost  Stolen  Damaged  Destroyed  Other (specify)

A FULL AND COMPLETE STATEMENT MUST BE ATTACHED OUTLINING CIRCUMSTANCES INVOLVING THE IDENTIFIED PROPERTY

ITEM NO.	QUANTITY OR PROPERTY NO.	ITEM DESCRIPTION	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE (See Reverse)	ESTIMATED VALUE
		See attached list.			

OPTIONAL FORM 99 (7-90)

**FAX TRANSMITTAL** *in* # of pages 2

To: Michelle Watson From: Karen Gustin  
Dept./Agency: WWAC Phone #: 319-873-3491  
Fax #: 402-437-5098 Fax #: 319-873-3743

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION

Accountable Officer Recommended disposition (check one):  Repair/ Reutilization  Sale/ Trade-in  Salvage  Scrap/ Destruction  Abandon  Other (specify)

To the best of my knowledge the attached statement is correct and recommendations are in the best interest of the Government.

Signature of Cognizant Employee	Date	Signature of Custodial Officer	Date	Signature of Accountable Officer	Date
<i>[Signature]</i>	7/16/90	<i>[Signature]</i>	7/16/90	<i>[Signature]</i>	7/16/90

Board of Survey findings and determinations:  A complete statement of Board findings and determinations is attached.  
Miscellaneous material that does not fit the Scope of Collection Statement for artifact/museum storage at Effigy Mounds NM Deaccession from collection.

Signature of Board Chairperson:	Date:	Signature of Board Member:	Date:	Signature of Board Member:	Date:
<i>[Signature]</i>	7/16/90	<i>[Signature]</i>	7/16/90		7/16/90

Reviewing Authority:  Approved  Returned for technical insufficiency (statement attached)  Disagree with Board (statement attached) Superintendent *[Signature]* 7/16/90

Head of Bureau or Office: (required only for disagreement between Board and Reviewing Authority) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Statement of resolution:

Certificate of disposition, destruction: I certify that Item No. (s) \_\_\_\_\_ listed above has been destroyed

Name of Destroying Official:	Title	Signature:	Date:
Witness Name:	Title	Signature:	Date:
Witness Name:	Title	Signature:	Date:

Adjustment to property records (Property Official Signature):	Date Completed	Adjustment to financial records (Financial Official Signature):	Date Completed
---	----------------	---	----------------

Deaccessioned catalog num. rs - 7/16/90

Acc. 8

4846	5032	4789	4962	4769	5051	5636	5076
5481	5231	5042	4961	4861	5056	4963	5001
4820	5477	4920	4955	5017	5394	5393	4959
5589	5124	5047	4956	5221	5516	4960	4928
4929	4972	5099	4953	5091	5479	5100	4849
4924	4971	5434	4951	4692	4927	4594	4816
4930	4970	5072	4952	5000	4954	5236	4800
4980	5127	4939	4950	5089	5190	4889	4790
4679	5200	4925	4949	5041	4600	4822	
4593	5227	4715	4947	5090	4870	4817	
5028	5097	5189	4946	5088	5112	4806	
5474	5038	5188	4945	5555	5113	4801	
5475	4788	5707	5105	4606	5114	4884	
5473	4791	5362	5106	5341	5115	4958	
5476	4795	5220	5179	4638	5116	5014	
5482	5153	5239	4659	4592	5117	4878	
5484	4633	5695	5101	4859	5118	5002	
5483	5147	5430	5379	5025	5122	5104	
5478	5021	4885	5102	5034	5119	5109	
5471	5156	4998	5018	5033	4965	5148	
5486	4694	5594	5582	5020	4867	5213	
5121	4981	5520	5187	5019	4964	5558	
5586	5093	5026	5180	5016	4779	5706	
5096	4691	4869	5181	5013	4773	5694	
4966	4685	4696	5132	5012	4776	5317	
5225	4686	5494	5219	4619	5378	5212	
5206	5233	5108	5107	5123	4848	5144	
4940	5232	5427	5103	5480	4847	5111	
5425	5428	5426	4775	5098	4845	5077	

Acc. 16

642	638	1656	648	652	656
641	637	645	649	653	657
640	643	646	650	654	
639	644	647	651	655	

Acc. 95 - out <sup>supposed to</sup> (gone w/ 86)  
1940 1941

Acc. 132 - 7249, 7331 - out <sup>supposed to</sup> (gone w/ 86)

Acc. 5 - 3929

Acc. 70  
4551

Also deaccessioned are uncataloged portions of Accession numbers 1, 5, 8, 16, 53, 70, 78, 95, 106, 107, 109, 111, and 132.

<sup>out</sup> 13, 14, 44, 48, 49, 50, 51, 77, 87 - Theoretically ones not deaccessioned.  
<sup>out</sup> part of our collection, if not done, we are accountable  
<sup>out - w/ 86</sup> for them. [We need list of more done. - which  
 recorded by state.]



3/11/96

Items returned by OSA from WITHIN the park. Returned on 5/1/87

Accession 1, 5, 16, 53, 78, 106, 107, 109, 111

Accession 8 returned on 2/28/90

Asked Shirley for a list of accession numbers of remains collected outside the park and buried in one of the state cemeteries by OSA. (in letter)

Will then compare this w/ the two deaccess. forms we have for 1986 and 1990.

---

Items from OUTSIDE the park - reburied by OSA in eastern<sup>IA</sup> cemetery

Accession 13, 14, 48, 49, 50, 70, 87

Accessions 44 + 51 - not reburied, OSA is to receive addl. material for reburial

to add to the accessions  
Karnopp mound Group came from site 47 or 5 in Wisc.  
Accession 27 - transferred to State Hist. Society of Wisc. in '87 for reburial in Wisc.

CONCLUSIONS 3/25/96 -

Acc. 70 is on items collected outside park boundaries

Acc. 72 and Acc. 2 are deaccessioned from our lists, but do not appear on OSA's list  
items collected outside the park.

Acc 95 + Acc 132 - Items collected outside the park + deacc. according to our files, but OSA does not have it listed on any of their lists, either inside or outside

Acc 110 - listed as items collected w/in the park + deacc. by us, but not on OSA's list as an item returned to park.

SEP 18 1996

AREA DISTRIBUTION	
TO	Initial
<input checked="" type="checkbox"/> Superintendent	
<input checked="" type="checkbox"/> Chief, I, VS & P	
<input checked="" type="checkbox"/> Chief, Maint.	
<input checked="" type="checkbox"/> Admin. Mgr.	
<input checked="" type="checkbox"/> Res. Mgr.	
<input checked="" type="checkbox"/> Admin. Clerk	

SEP 13 1996

A2623 (GPSO-CR)

Memorandum

To: Superintendent, Great Plains System Support Office

Through: Team Manager, Stewardship and Partnerships,  
Great Plains System Support Office

From: Carolyn Wallingford, Curator, Stewardship and  
Partnerships Team, Great Plains System Support Office

Subject: Trip report, Effigy Mounds, August 20-23

PURPOSE: To conduct an inventory of the park's museum collection in storage and on exhibit, and to evaluate several unprocessed boxes of papers in conjunction with the current system of archives and administrative records management. There are approximately 10,000 objects in the park's museum collection located onsite.

DISCUSSION: At the request of the park, a curatorial strike team was assembled to assist with several museum collections related projects, and provide recommendations to use as a checklist for prioritizing and planning curation tasks.

I served as the project leader, and was assisted by Jefferson NEM Archivist Laura Mills, and Harry S Truman Museum Technician Scott R. Stone. This project served as a training opportunity for Park Ranger/Law Enforcement Officer Chris Harman, who recently assumed collateral duty responsibilities for managing the collections. We used standard procedures for conducting an inventory as provided in the "Museum Handbook," part II, chapter 4. Two software programs were used for this project: version 2.01, Automated Inventory Program; and the Automated National Catalog System (ANCS)

The project began Tuesday morning, August 20, with an orientation to the renovated Visitor Center, the Museum Gallery, and the

collection storage area provided by Chief Park Ranger Mardi Butt-Arce. In order to accomplish our goals, we divided into teams to conduct a 100 percent collection inventory, and to organize the archives, and to assess the administrative records.

ARCHIVES: We determined that the park archive is made up of two collections neither of which is in the original order and therefore cannot be considered an "organic collection," (Refer to the "Museum Handbook," part II). The Ellison Orr collections comprise both personal papers and photographs. The collections are recorded in the accession book as two separate entries and are housed in archival materials and stored in a fire resistant file cabinet.

The collection is more than adequately catalogued, however, due to various storage requirements and locations, a means of cross reference needs to be made of the papers, the photographs, the books, and any related museum objects. This can be accomplished by preparing an inventory of accession related collection items with the corresponding storage location information.

There is a small cellulose nitrate negative collection properly housed in the freezer compartment in the archives room. Many of the images are part of the Orr collection, accession number two; and are one-of-a-kind photo-documents. A handwritten inventory of the negatives was located on a shelf, although as time permits, a complete typewritten inventory listing all the negatives should be prepared, signed, and dated. The typescript inventory can be stored in the locked fire resistant file cabinet with the accession book.

At the time of the site visit, I recommended that the archives room continue as a dedicated collections area that should remain locked with access limited to authorized staff accompanied by the collections manager. It was also suggested that while the negatives are stable in the freezer environment they are not readily accessible for research purposes or educational programming. I spoke with Superintendent Gustin about other Great Plains Cluster parks which have nitrate negatives and recommended a consolidated project statement to reformat all Great Plains Cluster nitrate negatives in the next budget call. This approach would address the need to preserve and protect the images in a compatible, stable format. Technical assistance is available upon request in drafting a consolidated project statement for FY 98.

The remainder of the records are parks administrative records. These papers were stored in a file cabinet, but are not yet organized. The curation team estimated there are 14 linear feet of park administrative records (approximately 7 boxes at 2 cubic feet). As time permits, these papers should be sorted into a series determined by the park staff. Active administrative records should continue to be managed in accordance with the NPS 19 disposition schedule.

There are numerous archeological reports and associated materials that can be grouped together by site number, year, or by principal investigator, and then proceed to catalog each group as one collection. Survey maps can be cataloged as one collection or individually, and then arranged in a variety of ways by principal investigator, or by date. For example, to organize by date, establish an arbitrary starting year date as "0" and a cut off date at 1989. Proceed to catalog the materials that fall within this time period (0-1989) into the ANCS as collection 1: part one. It is not necessary to assign individual catalog numbers, think in terms of a collection. There is one exception to this method: maps, drawings, and photographs can be approached as individual items.

Park administrative records can be organized chronologically or topically as follows: Office of Superintendent, Maintenance Records, Park Planning Records, and so forth. If a document is found among these broad categories relating to the museum collection, it should be filed in the appropriate accession file.

**LIBRARY:** The Orr library is housed in archival quality folders, labeled, and stored on wood shelving padded with polyethylene foam. At an earlier date, a conservator assessed the library and determined that some books required conservation treatment. Those books are identified with an orange marker line along the folder spine. Several large leather bound books were stored on a shelf in the archives room awaiting conservation treatment.

The library should be inventoried, and a system for checking books out of the library needs to be established. As the books are unpacked and re-shelved, a simple shelf inventory can be completed. Entering the library into Pro-Cite will provide another system of accountability, and create a cross-reference identifying books

from the Orr collection. A sign out sheet for staff members borrowing books should be sufficient for managing the library at this time.

In consultation with Jefferson NEM librarian Tom Dewey, any books that are part of the Orr donation should be considered a special collection, and housed apart from the general library. This procedure will not require a separate library room, only a designated shelf or bank of shelves. The books can be placed in the library inventory or as part of the archival collection with special instructions on the location of the collection. With a small staff and equally small collection, a shelf list and inventory would establish an adequate level of accountability and make the collection accessible.

**INVENTORY COMPONENT:** The Automated Inventory Program was installed on the dedicated curatorial, stand alone computer located on the lower level of the visitor center and adjacent to the enclosed, secured museum storage area.

Scott and Chris inventoried the herbarium collection, artifacts on exhibits in the visitor center museum gallery, and several museum storage cabinets. Upon completion of the archives component, Laura and I assisted with an item level inventory. We used the ANCS printout as a guide and to record all discrepancies. When an item was not in its recorded location, a red mark was made on the computer printout. The printouts can be used as checklist for Chris to reconcile the museum inventory. Some objects may be found in the temporary exhibit, or on a loan to Luther College, or located elsewhere in the park. These anomalies should be resolved as soon as possible to determine if a theft may have occurred during the visitor center renovation.

Scott provided a brief training session for Chris on ANCS and database (dBASE). This included how to find catalog records in both applications, how to add and modify records, and how to search and list data using dBASE. A tutorial copy was provided to Chris for future use.

The park also requested assistance to resolve some questions relating to a previous deaccessioning procedure. Due to time constraints to complete the inventory, I was unable to pursue these questions during my site visit. However, when I return to the

park in mid-November to conduct a site visit for a collection management plan I will followup on this line of inquiry.

Meanwhile, the park is encouraged to contact the team participants at anytime with questions concerning the inventory results or for archives technical support. We sincerely appreciate the park staff's efforts to provide equipment, and answer questions during this project. Chris fully and enthusiastically participated in this collaborative project and provided an excellent interpretive program on the Fire Point trail late Thursday afternoon.

Please extend our gratitude to your entire staff for their efforts, and hospitality during our site visit. A special thanks to Administrative Officer (b) (6), (b) (7)(C) who agreed to meet with us during her (b) (6), (b) (7)(C) leave. (b) (6), (b) (7)(C) is to be commended for capably managing the collection. The archives, catalog data, and storage conditions are in very good shape thanks to her dedication and curation support.

/s/ Carolyn Wallingford

Cleared for distribution:

/s/ Shirley Petersen

09/13/96

\_\_\_\_\_  
Superintendent, Great Plains System Support Office

\_\_\_\_\_  
Date

cc:

Superintendent, Effigy Mounds



HOUSING OCCUPANCY/VACANCY INSPECTION FORM

PARK: Effigy Mounds National Monument  
HOUSING UNIT NUMBER: Quarters #2  
OCCUPANT: Thomas A. Munson  
INSPECTED BY: (b) (6), (b) (7)(C) Florencia M. Wiles  
DATE: July 13, 1990

The purpose of this occupancy inspection report is to make the new occupant aware of the condition of the housing prior to moving in. The occupant will be responsible for the reported condition of the housing and the property as listed on the back of this sheet. On departure, the housing will be re-inspected for maintenance needs and to ensure property listed is still in the housing unit. Any damage, defect or misuse of Government buildings, appliances, furniture and lawns will be noted. Please check each listed item carefully and mark the appropriate square which best describes its condition. All items marked unsatisfactory require a descriptive explanation on the reverse side of the form and also the signature of the person making the inspection. A bill will be issued for any loss or damage to property. Final salary check may be held until the bill has been paid.



Housing No. Quarters #2  
 Occupant Thomas A. Munson

U.S. DEPARTMENT OF THE INTERIOR  
 NATIONAL PARK SERVICE

HOUSING OCCUPANCY/VACANCY INSPECTION FORM

ITEM	CONDITION OF HOUSING		REPAIRS	REMARKS	ITEM	CONDITION OF HOUSING		REPAIRS	REMARKS
	S = Satisfactory U = Unsatisfactory In	Out				S = Satisfactory U = Unsatisfactory In	Out		
INTERIOR					INTERIOR				
1. Paint, Int.					19. Furnace/heater				
2. Walls					20. Air Conditioner				
3. Light Fixtures					21. Other				
4. Window covering					22. Other				
5. Curtain Rods					EXTERIOR				
6. Floor covering					1. Roof				
7. Kitchen cabinets					2. Doors				
8. Range					3. Windows				
9. Refrigerator					4. Screens				
10. Sink					5. Storm Windows				
11. Fireplace					6. Gutters				
12. Stove					7. Paint, Ext.				
13. Furniture					8. Lawn				
14. Commode					9. Walks				
15. Bath tub					10. Garage				
16. Lavatory					11. Porch or steps				
17. Medicine Chest					12. Other				
18. Doors					13. Other				

Oil Tank Filled: Yes \_\_\_\_\_ No \_\_\_\_\_ Meters Read/Power Co. Notified \_\_\_\_\_ Keys Issued \_\_\_\_\_ Turned in \_\_\_\_\_

ASSIGNMENT OF HOUSING

CONCUR: \_\_\_\_\_ Date \_\_\_\_\_  
 Service Representative

Occupant \_\_\_\_\_ Date \_\_\_\_\_

VACATING HOUSING

CONCUR: Thomas A. Munson 7/13/90  
 Service Representative Date

Thomas A. Munson  
 Occupant Date

The purpose of this occupancy inspection report is to make the new occupant and the Service aware of the condition of the Housing prior to moving in and upon vacating. ARRIVAL: (1) The tenant/employee and Service representative will review and discuss the condition of the Housing prior to moving into the Housing. (2) Each item listed must be checked carefully and the appropriate square marked and notations made in the remarks column as to condition or repairs. (3) The Service's representative should note

the date any necessary repairs are to be made. (4) The occupant will be responsible for the recorded condition of the Housing and the property. DEPARTURE: (1) Upon departure, the Housing will be reinspected for maintenance needs and to ensure condition and presence of property are satisfactory. (2) Any damage, defect or misuse of Government buildings, appliances, furniture and lawns will be noted. (3) A bill will be issued for any loss or damage to property. (4) Final salary check may be held until the bill for any loss, damage or other fees are paid.

Notes on EFMO remains, 12/29/11

General comments:

1. One aspect of the history of collection management of human remains at EFMO that makes it difficult to determine precisely what remains are presently unaccounted for is that some remains were cataloged and labeled while others were not. Further, Fisher and Shermer (1987) did not identify any of the remains that were loaned to them by catalog number, nor did they assign unique specimen or other identification numbers to the individual bones and bone fragments. Accordingly, Shermer's excellent efforts toward matching the remains returned in 2011 with those analyzed in 1986/7 were made primarily by comparing individual specimen identifications from the earlier work with the remains currently housed at EFMO. Shermer has identified the materials extant in 2011 by catalog number where those numbers are present, but, the lack of identifications by catalog number, or by any unique identification number, in the original identification effort limits the ability to make one-to-one comparisons.

2. As Henning (1998) pointed out, the lack of reference to original archeological projects from which the human remains were recovered in the 1986 loan to Fisher and Shermer and within their 1987 report is unfortunate. Had such associations been made at the time, it would have been apparent that in two or more accessions, the numbers of human remains being loaned were less than the number of human remains excavated (e.g., Accession 5, Sny Magill Mound 7) or entirely lacking from proveniences known to have yielded human remains (e.g. Accession 1, Hanging Rock Site, and Accession 5, Sny Magill Mounds 24, 27, and 43 and Three Mound Group Mound 57).

3. The multiple EFMO Federal Register NAGPRA Inventory and Repatriation notices from 2001 through 2008 do not include accession information. I have determined the accessions for all of the remains listed in those Notices. However, there appear to be a few remains (e.g., catalog number 9917 from Accession 147) that were among the remains present at the park in 2001 but that are not listed in the Notices in 2001 and later years and are not presently accounted for at EFMO. Perhaps they have been repatriated, but if so, they are not listed in the Federal Register Notices.

4. There are human remains that are listed on the 1986 "deaccession" form, the 1990 Board of Survey, the 1986 loan, and/or identified by Fisher and Shermer (1987) that are presently unaccounted for. Other human remains from those lists are accounted for. Based upon Shermer's analyses, I have provided approximate counts of the missing bones and bone fragments in the summary of accessions below. Given that many of the remains were highly fragmentary and in an a relatively poor state of preservation when they were excavated up to 61 years ago, such counts cannot be considered to be absolutely definitive, but instead can provide a general guide to the amount of remains are unaccounted for.

5. There are inconsistencies in the catalog numbers listed on the 1986 "deaccession" form and the 1990 Board of Survey versus the 1986 loan (see Table 1). In 2011, Shermer identified some of these inconsistencies, but Table 1 should be considered to be a more complete list. In some accessions these differences are minor while on others there are numerous catalog numbers provided in one list that do not appear in any others.

6. There are human remains excavated from two sites in the park in 1950 and from multiple mounds in 1952 at Sny Magill, then outside the park, but federally owned, that do not appear to have been accessioned into the park's museum collection. The numerous remains from Mound 57 (Three Mound Group, 13AM82) that were returned to EFMO in 2000 are one example. While those remains were accounted for and repatriated, other remains (e.g., those from the Hanging Rock Site [1950] and those from Sny Magill, 13CT18, Mounds 7, 24, and 43 [1952]) do not appear in EFMO accessions and are presently unaccounted for.

7. Henning (1998) did not identify the excavator or date of excavation for all of the accessions known to include human remains. Where it exists, that information needs to be developed so that the original records can be assessed to compare what was reported to have been collected versus what was loaned in these accessions in 1986.

8. Benn and Stadler (2004) report that human remains were recovered by Ingmanson in 1961 from 13CT26, Marching Bear Group Mound 77. I have not been able to link this to any of the accessions considered by Henning (1998) or that were part of the 1986 loan, the 1986 "deaccession list," the 1990 Board of Survey, or any of the multiple EFMO NAGPRA notices from 2001 through 2008. The single, brief Ingmanson memorandum at MWAC makes no mention of human remains. Benn and Stadler's listing of human remains from this work needs to be reassessed.

9. In my opinion, all EFMO accessions, not just those studied by Henning (1998) or that occur on the various lists of human bones loaned or studied from 1986 through 2011, should be summarized in a single list so that each can be assessed for the possibility that human remains could have been recovered as part of the work accomplished under that accession. While there is no expectation that any more human remains occur within the park's collections, such a complete analysis should resolve whether there are any more cases where human remains were recovered, but for whatever reason, not included in park accessions (see Accessions 1 and 5 below for examples).

Comments and questions on individual accessions:

#### Accession 1

All human remains from this accession are missing. The issue of the bones in this accession labeled AM47 (Table 2) needs to be more fully analyzed. Since the remains from this accession analyzed by Fisher and Shermer (1987) are listed by excavated provenience, it is recommended that the primary archeological field data for the Mound 55 and Hanging Rock Site excavations be examined to determine if those proveniences match either or both of the excavation grid systems used at the two sites.

Summary of bones unaccounted for:

Mound 55. Complete bones = 4, bone fragments = 252, bone fragments too small to count = 11.9 grams.

Bones labeled AM47. Complete bones = 2, bone fragments = 43.

Hanging Rock Site. Beaubien reported collecting a flexed burial missing the skull, mandible and other bones, plus "scattered finds of human bones"

(Beaubien 1951:34). It is unknown if these remains might be included in the counts above or if they were part of Accession 1.

#### Accession 2

One human bone is unaccounted for.

#### Accession 5

There are many questions regarding this accession (Table 2). Minimally, human remains in addition to those loaned to Fisher and Shermer in 1986 were recovered by Beaubien in 1952 and documented by him in subsequent reports.

Among the questions to address are:

Is this the accession for all of Beaubien's 1952 work at EFMO? If so, why does it only contain human remains from Sny Magill Mound 7 and why was that inventory an incomplete representation of the remains that were excavated?

Were the remains from Mound 27 at Sny Magill that were repatriated in 2001 after their 2000 return to the park ever part of Accession 5, since they were excavated in the same effort as those from Mound 7?

Where are the remains from Beaubien's 1952 excavation of Sny Magill Mounds 24, 43, the remainder from Mound 7, and the adult metatarsus from Mound 27? Perhaps they were never part of Accession 5, and it is conceivable that they were never accessioned (Table 2), but that does not change the fact that they are unaccounted for.

The following is a summary of human remains that might be associated with Accession 5 and that, like the Accession 5 remains from Mound 7, are all from Beaubien's excavations of 1952:

Mound 7. A mostly complete, articulated bundle burial was recovered along with dispersed bones of a second individual (Beaubien 1953:62-63). The second group included five long bones in "close parallel association." The remains of the second individual scattered between the two in situ burials included bones (skull fragments and portions of a mandible) that were identifiable. Fisher and Shermer (1987:9) identified only 21 small bone fragments and 15 "tiny" fragments. Minimally, it appears that the bundle burial is unaccounted for along with the five long bones and other portions of the second individual. Some limited provenience data exists for the bones loaned to Fisher and Shermer and that data should be examined relative to the site excavation grid and plan map published by Beaubien.

Mound 24. An undetermined number of fragments from the top of a single skull were recovered and are presently unaccounted for.

Mound 27. In addition to several tooth enamel elements from a juvenile that were repatriated, Beaubien recovered a single adult metatarsus from this mound (Beaubien 1953:61). That element appears to be unaccounted for.

Mound 43. Four groups of bones in the NW quadrant of the mound were decomposed secondary burials and "little more than teeth" could be salvaged (Beaubien 1953:57). Burial 1, 3.2 feet NW from the center of the mound was a concentration of skeletal material from three individuals. Burial 2 was a bundle burial a few inches from Burial 1. Burial 3 was an articulated bundle

burial. Burial 4, one foot SW of burial 1 consisted only of four badly decayed long bones. All of these remains are missing and unaccounted for.

#### Accession 8

Not all remains loaned in 1986 are accounted for. There is a lack of exact matches in the catalog numbers in various lists (Tables 1 and 2). In 2011, Shermer indicated that there were six catalog numbers on the 1986 loan form that do not appear on the 1990 Board of Survey list, but that assessment is incorrect. There are, however, as Shermer pointed out, several entries on the 1990 list that do not appear on the loan form (Tables 1 and 2). These inconsistencies do not appear to be highly important especially since a few of the catalog numbers missing from the loan form were accounted for in the remains returned in 2011 (Table 2). It appears that there are approximately 84 catalog entries, representing a minimum of 91 bones and bone fragments, unaccounted for in this accession.

#### Accession 12

What is the disposition of the single "possible" human bone identified by Lillie in 2003?

#### Accession 16

There are 13 catalog numbers for Accession 16 on the 1990 Board of Survey list that do not appear on the on 1986 loan form (Tables 1 and 2). Since these remains were not analyzed by Fisher and Shermer and were not among the catalog numbers that she was searching for in 2011, to date they have not been considered to be missing. Until the difference between the loan and 1990 Board of Survey list can be resolved, 13 catalog entries for this accession should be considered to be unaccounted for.

#### Accession 49

There is a significant mismatch between the numbers on the 1986 loan and the 1990 Board of Survey list (Tables 1 and 2). Could those "extra" numbers on the loan form include the bones labeled AM47 in Accession 1, since Accession 49 is for a site numbered 13AM47? Although the remains from this accession studied by Fisher and Shermer (1987) have been reburied, some reexamination of this accession may be needed to resolve issues with Accession 1.

#### Accession 60

Since a single catalog entry in this accession was not determined to be human bone until 2003, this accession was not considered by Henning. A comparison of excavation data with the identification by Lillie might be appropriate. The known human remains from this accession (one catalog number) were repatriated in 2008.

#### Accession 70

The remains from the 1986 loan (Fisher and Shermer 1987) and the 2003 analysis of human remains at EFMO (Lillie) have been reburied in two separate events. There are numerous inconsistencies between the catalog numbers listed on the 1986 loan form versus the 1986 "deaccession" list (Tables 1 and 2). Since the remains loaned to Fisher and Shermer were reburied, there may be no practical method, or need, to rectify those discrepancies.

However, remains apparently represented by one catalog number and an undetermined number of fragments listed as uncataloged on the 1990 Board of Survey are currently unaccounted for (Tables 1 and 2). Other remains from this accession identified in 2011 are stored in the NAGPRA cabinet at EFMO. There appears to be a small, but undetermined, number of bones or bone fragments unaccounted for in Accession 70, assuming the 1990 Board of Survey list is accurate.

#### Accessions 72 (and 87)

There is a double listing of catalog number 591 in these accessions (Tables 1 and 2). This needs to be addressed by examining the electronic catalog entry and/or the accession folders. If catalog number 591 is from Accession 72, it was not accounted for in 2011 and could be considered to be missing, although if the 1986 loan form is correct, it would have been reburied with the remains from Accession 87.

#### Accession 78

Based upon Shermer's 2011 assessment, the human remains from this accession are mostly accounted for. Shermer reports that 7 bone fragments are unaccounted for.

#### Accession 87 (and 72)

There is a double listing of catalog number 591 in these accessions (Tables 1 and 2). This needs to be addressed by examining the electronic catalog entry and/or the accession folders. The accession 87 remains have been reburied, and if the loan form is correct, that reburial would have included catalog entry 591.

#### Accession 106

The remains from Mound 33, 13AM190 listed on the 1986 loan and the 1990 Board of Survey are unaccounted for. It might be valuable to determine why these materials were not accessioned until number 106 considering that Beaubien's materials from this same year of fieldwork are partially included under Accession 5. It also might be useful to compare Logan's summary of human remains from this excavation to the identified list made by Fisher and Shermer to perhaps confirm that the 1986 loan contained all of the materials excavated by Logan.

Based upon the analysis of the loaned materials, 60 complete bones and 240 bone fragments are missing.

#### Accession 107

The excavator and date of excavation for this accession are not identified by Henning (1998). In order to assess exactly what remains should occur in this accession, that information needs to be determined. These remains are from Mound 39, 13AM190. According to Shermer's 2011 analysis, these remains may be accounted for in the EFMO collections.

#### Accession 109

The remains from Mound 38, 13AM190, excavated by Garland Gordon that are listed on the 1986 loan and the 1990 Board of Survey are unaccounted for. Based upon the analysis of the loaned materials, 92 complete bones and 707 bone fragments are missing in addition to 1805 grams of bone fragments that were too small or fragmentary to count.

#### Accession 110

The excavator and date of excavation for this accession are not identified by Henning (1998). In order to assess exactly what remains should occur in this accession, that information needs to be determined. The remains from Mound 38, 13AM190, surface listed on the 1990 Board of Survey form are unaccounted for. Those remains were listed merely as uncataloged. The number of bones or bone fragments missing in this accession is undetermined.

#### Accession 111

The remains from Mound 41, 13AM190 listed on the 1986 loan and the 1990 Board of Survey form are unaccounted for. Based upon the analysis of the loaned materials, five bone fragments are missing.

#### Accession 132

Henning (1998) provided little information about this accession and the site provenience is unknown. A reexamination of this accession should be considered. These remains are unaccounted for. Information is currently insufficient to determine how many bones or bone fragments are missing from this accession.

#### Accession 142

These remains were collected from between Sny Magill Mounds 89 and 91. They consist of a small number of skull fragments. In 1996, they were housed at Luther College. These remains do not appear to be listed in any of the EFMO NAGPRA Notices (Table 4). Disposition of these remains is unknown.

#### Accession 147/148

Henning (1998) suggests the remains from Sny Magill Mound 43 from his work there are from Accession 148, but data from the park indicate those human remains are from Accession 147 (catalog number 9917). There is some suggestion in park correspondence that these remains became admixed with remains from the bundle burial from 13CT50 after the return of those two separate sets of remains to EFMO in 2001. The Accession 147 (or 148) remains are not specifically listed on any of the EFMO NAGPRA Notices, while the 13CT50 bundle burial from Accession 12 is listed in the 2001 Federal register Notice. The disposition of the Accession 147/148 remains after their return to EFMO in 2001 from MWAC is undetermined.

Table 1. Summary of accession and catalog information for human remains, EFMO.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
No #	----	----	----	----	No #s	----	Mound 57, 13AM82, EFMO. Returned to park in 2000. Repatriated & reburied in Mound 57 in 2005.
1	----	uncat	uncat	no #s listed	----	not found-	Mound 55 (&57?), 13AM82 EFMO. Some Mound 55 remains found in park collection in 2011, but the remains from 1986 loan & 1990 BOS not accounted for.
2	514	----	----	----	----	not found	Ellison Orr Collection (1 item). Location of bone unknown. Acc. and Cat #s hand written on Otherwise typed form.
5							Mound 7, 13CT18, Sny Magill, EFMO. Remains from 1986 loan and BOS are housed at EFMO. Henning (1998) reports that there should be many more remains from Mound 7, including a bundle burial. Also, should be a cranium



Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
-------	----------------------------------	-------------------------	--------------------------	-------------------------------------	-------------------------	--------------------------	------------------------

5 (continued)

fragment from Mound 24 and portions of 6 individuals from Mound 43. Location of these remains is unknown. Remains from Mound 27 noted by Henning as unaccounted for were turned in to park in 2000 and repatriated in 2001.

3929 uncat	3929 uncat	no #s listed	----	list made
---------------	---------------	--------------	------	-----------

8

Hwy 13/76 Rockshelter, 13CT231, not within EFMO. Remains IDd by Lillie (2003) were repatriated in 2008. Remains IDd by Shermer (2011) are at EFMO. Others listed on 1986 loan and 1990 Board of Survey are not accounted for.

no #s listed

----	4592	???	4488	4592
----	4593	???		4593
----	4594	?594		4594
----	4600	4600		4600

Table 1. continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----				4605		
	----	4606	4606				
	----					4608	
	----				4610		
	----					4613	
	----				4615		
	----	4619					
	----	4633	4633			4633	
	----	4638	4638				
	----					4640	
	----				4647		
	----				4652		
	----	4659	4659				
	----				4666		
	----				4669		
	----				4670		
	----				4677		
	----	4679	4679			4679	
	----	4685	4685			4685	
	----	4686	4686			4686	
	----	4691	4691			4691	
	----	4692	4692				
	----				4693		
	----	4694	4694			4694	
	----	4696	4696			4696	
	----				4713		
	----	4715	4715			4715	
	----				4723		
	----	4769	4769				
	----	4773	4773				
	----	4775	4775				
	----	4776	4776			4776	

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----				4777		
	----	4779	4779				
	----				4781		
	----				4783		
	----				4784		
	----				4785		
	----				4786		
	----	4788	4788			4788	
	----	4789	4789			4789	
	----	4790				4790	
	----	4791	4791			4791	
	----				4792		
	----				4793		
	----	4795	4795			4795	
	----				4799		
	----	4800				4800	
	----	4801	4801			4801	
	----					4802	
	----				4803		
	----	4806	4806				
	----				4815		
	----	4816				4816	
	----	4817	4817			4817	
	----	4820	4820				
	----	4822	4822			4822	
	----				4824?		
	----				4830		
	----				4831		
	----				4832		
	----	4845	4845				
	----	4846	4846				
	----	4847	4847				
	----	4848	4848				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	4849	4849				
	----				4852		
	----	4859	4859			4859	
	----	4861	4861				
	----	4867	4867				
	----	4869	4869			4869	
	----	4870	4870			4870	
	----				4872		
	----	4878	4878			4878	
	----	4884	4884				
	----	4885	4885			4885	
	----	4889	4889			4889	
	----				4893		
	----	4920	4920			4920	
	----	4924	4924				
	----	4925	4925			4925	
	----	4927	4927			4927	
	----	4928	4928				
	----	4929	4929				
	----	4930	4930				
	----				4938		
	----	4939	4939			4939	
	----	4940	4940			4940	
	----				4944		
	----	4945	4945			4945	
	----	4946	4946			4946	
	----	4947	4947			4947	
	----	4949	4949			4949	
	----	4950	4950			4950	
	----	4951	4951			4951	
	----	4952	4952			4952	
	----	4953	4953			4953	
	----	4954	4954			4954	

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	4955	4955			4955	
	----	4956	4956			4956	
	----	4958	4958			4958	
	----	4959	4959				
	----	4960	4960			4960	
	----	4961	4961				
	----	4962	4962				
	----	4963	4963			4963	
	----	4964	4964				
	----	4965	4965				
	----	4966	4966			4966	
	----	4970	4970				
	----	4971	4971			4971	
	----	4972	4972			4972	
	----				4976		
	----	4980	4980			4980	
	----	4981	4981			4981	
	----				4982	4982	
	----				4985		
	----					4991	
	----				4996		
	----	4998	4998			4998	
	----	5000	5000				
	----	5001					
	----	5002	5002				
	----	5012	5012				
	----	5013	5013				
	----	5014	5014				
	----				5015		
	----	5016	5016				
	----	5017	5017				
	----	5018	5018				
	----	5019	5019				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	5020	5020			5020	
	----	5021	5021			5021	
	----				5022		
	----	5025	5025			5025	
	----	5026	5026			5026	
	----	5028	5028			5028	
	----				5030		
	----	5032	5032			5032	
	----	5033	5033			5033	
	----	5034	5034			5034	
	----	5038	5038			5038	
	----	5041	5041			5041	
	----	5042	5042			5042	
	----	5047	5047			5047	
	----	5051	5051			5051	
	----	5056	5056			5056	
	----	5072	5072			5072	
	----	5076					
	----	5077					
	----	5088	5088				
	----	5089	5089				
	----	5090	5090				
	----	5091	5091				
	----	5093	5093			5093	
	----	5096	5096			5096	
	----	5097	5097			5097	
	----	5098	5098			5098	
	----	5099	5099			5099	
	----	5100	5100				
	----	5101	5101				
	----	5102	5102				
	----	5103	5103			5103	
	----	5104	5104				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	5105	5105				
	----	5106	5106				
	----	5107	5107				
	----	5108	5108			5108	
	----	5109	5109			5109	
	----	5111	5111			5111	
	----	5112	5112				
	----	5113	5113				
	----	5114	5114				
	----	5115	5115			5115	
	----	5116	5116				
	----	5117	5117				
	----	5118	5118				
	----	5119	5119				
	----				5120		
	----	5121	5121			5121	
	----	5122	5122			5122	
	----	5123	5123			5123	
	----	5124	5124			5124	
	----				5125		
	----	5127	5127			5127	
	----	5132	5132			5132	
	----				5133		
	----				5134		
	----				5142		
	----	5144					
	----	5147	5147			5147	
	----	5148	5148			5148	
	----	5153	5153			5143	
	----	5156	5156			5156	
	----				5159		
	----	5179	5179				
	----	5180	5180				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	5181	5181				
	----	5187	5187				
	----	5188	5188			5188	
	----	5189	5189			5189	
	----	5190	5190			5190	
	----	5200	5200			5200	
	----	5206	5206			5206	
	----					5207	
	----					5211	
	----	5212					
	----	5213	5213				
	----	5219	5219				
	----	5220	5220			5220	
	----	5221	5221				
	----					5224	
	----	5225	5225			5225	
	----	5227	5227			5227	
	----	5231	5231			5231	
	----	5232	5232				
	----	5233	5233			5233	
	----	5236	5236			5236	
	----				5237		
	----	5239	5239			5239	
	----				5240		
	----				5257		
	----				5259		
	----				5274		
	----				5276		
	----				5278		
	----					5280	
	----					5285	



Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----				5293		
	----					5308	
	----	5317					
	----	5341	5341				
	----	5362	5362			5362	
	----	5378	5378				
	----	5379	5379				
	----				5381		
	----				5391		
	----	5393	5393				
	----	5394	5394			5394	
	----				5399		
	----				5400		
	----				5401		
	----					5405	
	----				5413		
	----	5425	5425				
	----	5426	5426				
	----	5427	5427			5427	
	----	5428	5428				
	----	5430	5430			5430	
	----	5434	5434			5434	
	----				5437		
	----				5444		
	----					5463	
	----				5470		
	----	5471	5471				
	----	5473	5473			5473	
	----	5474	5474			5474	
	----	5475	5475			5475	
	----	5476	5476			5476	
	----	5477	5477			5477	

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.							
	----	5478	5478			5478	
	----	5479	5479			5479	
	----	5480	5480			5480	
	----	5481	5481			5481	
	----	5482	5482			5482	
	----	5483	5483			5483	
	----	5484	5484			5484	
	----	5486	5486				
	----				5491?		
	----				5492		
	----	5494	5594			5494	
	----	5516	5516			5516	
	----				5518		
	----	5520	5520			5520	
	----				5521	5521	
	----				5529		
	----				5530		
	----				5535	5535	
	----				5537		
	----				5541		
	----	5555	5555				
	----				5556		
	----	5558				5558	
	----				5560		
	----				5563		
	----	5582	5582				
	----				5583		
	----	5586	5586			5586	
	----	5589	5589			5589	
	----	5594	5594			5594	
	----				5595		
	----				5610		
	----				5611		

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
8 cont.	----	5636	5636		5677	5636	
	----	5694					
	----	5695	5695			5695	
	----					5698	
	----	5706					
	----	5707	5707			5707	
	----	uncat	uncat				
12							Devil's Den Mound Group, 13CT50, EFMO. Plaster jacketed bundle burial listed on EFMO's original NAGPRA inventory. Housed at MWAC and returned to EFMO by J. St. Clair 5/2001. Bundle was "unjacketed" in 2001 by OSA and repatriated in 2001 by EFMO and later reburied. It is cat # 9916. Single additional bone identified in 2003 list. Disposition undetermined.
	----	----	----	----	no # listed	----	
13							New Albin Rockshelter. Reburied via OSA.
	341	----	341	No #s listed	----	----	

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
13 cont.	342	----	342		----	----	
14	uncat	----	uncat	no #s listed	----	----	Elephant Terrace, 13AM59. Reburied via OSA.
16				no #s listed			Mound 36 or Mound 37, 13AM190. Remains in Shermer 2011 list are at EFMO.
	----	637	637		----	637	
	----	638	638		----	638	
	----	639	639		----	639	
	----	640	640		----	640	
	----	641	641		----	641	
	----	642	642		----	642	
	----	643	643		----	643	
	----	644	644		----	644	
	----	645					
	----	646					
	----	647					
	----	648					
	----	649					
	----	650					
	----	651					
	----	652					
	----	653					
	----	654					
	----	655					
	----	656					
	----	657					

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
16 cont.	----	1656 uncat	1656				1656 unlabeled fragments present
44	uncat		uncat	no #s listed	----	-----	Provenience unknown. Awaiting OSA reburial in 1997.
48				no #s listed			Waukon Junction Rockshelter, 13AM268. Remains on 1986 lists reburied by OSA. Remains in 2003 list repatriated in 2008.
					5770 5771		
	5817	----	5817				
	5818	----	5818				
	5821	----	5821				
		----					
	5827	----	5827		5822		
	5848	----	5848				
	5849	----	5849				
	5850	----	5850				
	5851	----	5851				
	5852	----	5852				
	5855	----	5855				
	5857	----	5857				
	5858	----	5858				
	5859	----	5859				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
48 cont.							
	5860	----	5860				
	5861	----	5861				
	5863	----	5863				
	5864	----	5864				
	5865	----	5865				
	5866	----	5866				
	5868	----	5868				
	5869	----	5869				
	5871	----	5871				
	5872	----	5872				
	uncat	----	uncat				
49							Spike Hollow Rockshelter, 13AM47. Remains on 1986 list reburied by OSA. Remains in 2003 report repatriated by EFMO in 2008.
				No #s listed	no #s listed----		
	2996	----	2996				
	2997	----	2997				
	3021	----					
	3026	----	3026				
	3087	----	3087				
				[dash between 3087 and 3105 and between 3107 and 3121 on loan, comma after #s on 1986 Board of Survey list]			
			T				
			H				
			R				
			O				
			U				
		----	G				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
49 cont.							
	3115		H				
	3132	----	3132				
50							Guttenberg Burial. Remains on 1986 lists reburied via OSA.
	uncat	----	uncat	no #s listed	----	----	
51							Quandahl Rockshelter, 13WH35. As of 1997, remains on 1986 lists were awaiting reburial by OSA in 1997.
	uncat	----	uncat	no #s listed	----	----	
53							Mound 18, 13AM207, EFMO. Remains identified by Shermer in 2011 are at EFMO.
	----	uncat	uncat	no #s listed	----	no #s	
60							Mound 66, 13CT55, EFMO. Remains in 2003 list repatriated by EFMO in 2008.
	----	----	----	----	3741	----	
70							Marquette Rockshelter, location and donor unknown. 1986 loan form and 1986 board of survey do not match perfectly. Remains from

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	Board of survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
							1986 loan/survey lists reburied via OSA. Remains from 1990 Board of Survey not accounted for. Additional remains IDd in 2003 and repatriated in 2008. Additional remains IDd in 2011 and placed in EFMO NAGPRA cabinet. The latter remains are at EFMO.
	70 cont.						
				No #s listed			
			??50				
			?351				
			1352				
			1382				
			1383				
			1384				
			4029				
	4083		4083				
	4109		4109				
	4110		4110				
	4111		4111				
	4112		4112				
	4113		4113				
	4114		4114				
	4115		4115				
	4116		4116				
	4117		4117				
	4118		4118				
	4119		4119				
	4120		4120				
	4121		4121				
	4122		4122				
			4124				
	4125		4125				



Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
70 cont.							
	4126		4126				
			4128				
	4129						
	4130		4130				
					4131		
	4132		4132				
	4134		4134				
	4135		4135				
	4137		4137				
	4138		4138				
	4140						
			4141				
	4147		4147				
			4148				
						4150	
					4151		
			4154				
			4156				4154
	4161		4161				
	4162		4162				
			4168				
			4169		4169		
	4170		4170				
	4171		4171				
	4172		4172				
	4173		4173				
			4177		4177		
	4187		4187				
	4188		4188				
	4190		4190				
	4191		4191				
			4192				
			4196				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
70 cont.							
			4207				
	4210		4210				
			4211				
	4212		4212				
	4213		4213				
	4215		4215				
	4218		4218				
	4219		4219				
	4221		4221				
			4222				
	4223		4223				
	4224		4224				
	4227		4227				
			4229				
	4230		4230				
	4236		4236				
	4242		4242				
	4246		4246				
	4249		4249				
	4252		4252				
			4266				
	4268				4268		
			4278				
	4279						
	4290		4290				
	4291		4291				
	4292						
	4293		4293				
	4294		4294				
	4295		4295				
	4296		4296				
	4298		4298				
	4299		4299				
	4300		4300				
	4301		4301				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
70 cont.							
	4302		4302				
	4303		4303				
	4304		4304				
	4305		4305				
	4306		4306				
	4307		4307				
	4308		4308				
	4309		4309				
	4310		4310				
	4311		4311				
	4312		4312				
	4313		4313				
	4314		4314				
	4315		4315				
	4316		4316				
			4317				
	4318		4318				
	4319		4319				
	4320		4320				
			4321				
	4322		4322				
	4323						
	4325		4325				
	4326		4326				
	4327		4327				
	4328		4328				
	4329		4329				
			4331		4331		
	4333		4333				
	4334						
	4335		4335				
	4338		4338				
	4339		4339				
	4340		4340				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
-------	----------------------------------	---------------	--------------------------	-------------------------------------	-------------------------	--------------------------	------------------------

70 cont.

4341			4341				
4342			4342				
4343			4343				
4344			4344				
4345			4345				
4346			4346				
4347			4347				
4348			4348				
					4349		
4350			4350				
4351			4351				
4352			4352				
4353			4353				
4354			4354				
4355			4355				
4356			4356				
4357			4357				
4358			4358				
4359			4359				
4360			4360				
4361			4361				
4362			4362				
4363			4363				
4364			4364				
4365			4365				
4366			4366				
4367			4367				
4368			4368				
4369			4369				
4370			4370				
4371			4371				
4372			4372				
4373			4373				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
70 cont.							
	4376		4376				
	4377		4377				
	4379		4379				
			4381				
	4382						
	4383		4383				
	4390		4390				
			4392				
	4393		4393				
			4395				
	4398		4398				
	4399		4399				
			4401				
	4444		4444				
	4445		4445				
	4446		4446				
					4447		
	4448		4448				
					4451		
					4454	4454	
	4455		4455				
	4457		4457				
			4462				
	4464		4464				
	4468						
	4472		4472				
	4473		4473				
	4474		4474				
	4475						
	4478		4478				
	4479		4479				
	4480		4480				

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
70 cont.							
	4483		4483				
						4484	
	4489		4489				
	4490		4490				
			4491				
	4493		4493				
	4494		4494				
	4495		4495				
	4497		4497				
	4499		4499				
	4501		4501				
	4506		4506				
	4526		4526				
	4527		4527				
	4531		4531				
	4532		4532				
	4533		4533				
			4534				
			4535		4535		
	4538		4538				
	4540		4540				
	4543		4543				
					4546		
	4547		4547				
	4550		4550				
		4551					
						4553	
						4556	
		uncat					

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
72 cont.	591	----	----	----	----	----	not found
77	uncat	----	uncat	no #s listed	----	----	Karnopp Mound Group, Wisconsin. Remains on 1986 lists transferred to OSA and then to State of Wisconsin for reburial.
78	----	uncat	uncat	no #s listed	----	no # listed	Mound 12, 13AM101, EFMO. Accounted for except for 7 fragments in 2011. Remains are at EFMO.
87	515 516 517 518 519 520 521 522	---- ---- ---- ---- ---- ---- ---- ----	515 516 517 518 519 520 521 522	no #s listed	----	----	Unknown provenience and donor. 1986 Board of Survey lists cat. 591 as from Acc. 72. Remains on 1986 lists reburied via OSA.

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
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87 cont.

523	----	523
524	----	524
525	----	525
526	----	526
527	----	527
528	----	528
529	----	529
530	----	530
531	----	531
532	----	532
533	----	533
534	----	534
535	----	535
536	----	536
537	----	537
538	----	538
539	----	539
540	----	540
541	----	541
542	----	542
543	----	543
544	----	544
545	----	545
546	----	546
547	----	547
548	----	548
549	----	549
550	----	550
551	----	551
552	----	552
553	----	553
554	----	554
555	----	555



Table 1. Continued.

Acc #	Board of survey 1986 Cat #	1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
87 cont.							
	556	----	556				
	557	----	557				
	558	----	558				
	559	----	559				
	560	----	560				
	561	----	561				
	562	----	562				
	563	----	563				
	564	----	564				
	565	----	565				
	566	----	566				
	567	----	567				
	568	----	568				
	569	----	569				
	570	----	570				
	571	----	571				
	572	----	572				
	573	----	573				
	574	----	574				
	575	----	575				
	576	----	576				
	577	----	577				
	581	----	581				
		----	591				
95							Unknown provenience. Found in artifact storage cases at EFMO in 1985.
	----	1940	----	----	----	1940	
	----	1941	----	----	----	1941	
	----	uncat	----	----	----		

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
106	----	uncat	uncat	no #s listed	----	not found	Mound 33, 13AM190, EFMO. Location of remains on 1986 loan and 1990 BOS unknown.
107	----	uncat	uncat	no #s listed	----	list made	Mound 39, 13AM190, EFMO. No remains in 2011 labeled Acc. 107, but might be accounted for in misc. fragments housed at EFMO.
109	----	uncat	uncat	no #s listed	----	not found	Mound 38, 13AM190, EFMO. Location of remains on 1986 loan and 1990 BOS unknown.
110	----	uncat	----	----	----	not found	Mound 38, 13AM190, surface. Location of remains on 1990 BOS unknown.
111	----	uncat	uncat	no #s listed	----	list made	Mound 41, 13AM190, EFMO. Remains from 1986 loan and 1990 BOS accounted for in 2011. Housed at EFMO.

Table 1. Continued.

Acc #	Board of survey 1986 Cat #	survey 1990 Cat #	loan 10/7/86 Cat #	Fisher and Shermer 1987 Cat #	Lillie 2003 Cat #	Shermer 2011 Cat #	Provenience and status
132	----	7249	----	----	----	not found	Provenience unknown, other than outside EFMO.
	----	7331	----			not found	
142	----	----	----	----	----		Found between Mounds 89 and 91, Sny Magill, 13CT18. Remains (skull fragments) were at Luther College in 1996. Disposition undetermined.
147 or 148	----	----	----	----	----		Mound 43, 13CT18, EFMO. Remains found in looting study. Housed at MWAC under MWAC 569 beginning 12/1991 and returned to EFMO on 5/2001. Catalog # 9917. Disposition undetermined.

Table 1. Concluded.

Explanation:

xxxx = items identified by Shermer as human remains or "possible" human remains in the EFMO collection in July, 2011 and moved to the park's NAGPRA case. These catalog entries were not on the 1986 loan or the 1990 Board of Survey lists.

xxxxx = duplicate catalog number in two different accessions

---- = Accession not listed and/or studied under this heading.

Accession 147 or 148

Henning (1998) indicates the accession for his work at Mound 43 at Sny Magill is 148, (b) (6), (b) (7)(C) in correspondence with MWAC regarding these remains lists EFMO acc. 147 and cat. # 9917 f 15 fragments. The MWAC accession for when these remains were at MWAC is MWAC 569.

Table 2. Summary of EFMO accessions that contain or formerly contained human remains.

No # (possibly part of Accession 5)

This entry is for human remains delivered to the park in a suitcase in August, 2000. Based upon a 2001 Federal Register NAGPRA Notice of Inventory (Vol. 66, No. 47) these remains are from Mound 57, 13AM82 (one of the Three Mound Group at the Visitor Center) and Mound 27 from Sny Magill. Regional Archeologist Paul Beaubien excavated human remains from Mound 57 (a large conical mound) within the Monument (one of the mounds of what is now known as the Three Mound Group, which is part of site 13AM82) and from conical Mound 7, conical Mound 24, bird effigy Mound 27, and conical Mound 43 at Sny Magill in 1952. Sny Magill was not part of the Monument at that time, but was Federally owned. Mound 57 yielded what Beaubien (1952d) initially described as "at least 6" secondary burials, a number that was subsequently revised to 12 individuals based on Dr. Alton Fisher's study of the remains in late 1952 (Beaubien 1953b). That count is a close match with Lillie's 2003 analysis of the remains from Mound 57 returned to EFMO in 2000. There is no clear evidence that the Mound 57 human remains were ever accessioned at EFMO, although Henning (1998) suggests artifacts from the 1952 excavation of the mound are included in Accession 1. The Mound 57 remains were repatriated (Federal Register Vol. 69, No. 243) and reburied within Mound 57 in 2005.

Beaubien (1953b and 1953c) reports that, from excavations conducted in 1952, remains from two individuals from Mound 7, enamel portions from 12 teeth from a child and a metatarsus from an adult from Mound 27, multiple fragments from a single skull cap from Mound 24, and multiple burials from Mound 43, were collected from his excavation at the Sny Magill Mound Group in 1952. There is no information to indicate that the human remains from Mounds 24, 27, or 43 were ever accessioned at EFMO. A 2001 National Register Notice (Vo. 66, No. 47) lists 12 teeth from a child, but does not mention the metatarsus. The Mound 27 teeth were repatriated and reburied in Mound 27 in 2001. The disposition of the metatarsus is undetermined.

To date, I have found no record for the presence of the 1952 Mound 24 or Mound 43 human remains at EFMO. Accordingly, following Henning (1998), those remains should be considered to be unaccounted for.

Some human remains from Mound 7 are included in Accession 5, but as noted in the discussion of that accession, the number of bones is not consistent with Beaubien's published findings.

1

Fisher and Shermer attributed all of the remains loaned to them under this accession to Mound 55, 13AM82. Henning (1998) reported that there were as many as 12 individuals from Mound 57 and that Accession 1 includes artifacts from that mound. Mound 55 had as few as 2 persons; much of those remains were burned. It is conceivable that Acc. 1 contained remains from Mounds 55 and 57 as Henning suggests. However, Accession 1 was from 1950 from Midwest Regional Archeologist Paul Beaubien. During that year, he excavated Mound 55 and the Hanging Rock site, both of which yielded human remains. He did not excavate Mound 57 until 1952. It is unclear why Accession 1, dating to 1950, would include any materials from Beaubien's 1952 work at EFMO. Some of the human remains from Beaubien's 1952 excavations (some, but not all, of the remains from Mound 7) were in Accession 5 (see below).

The remains from Accession 1 that were loaned to Fisher and Shermer for analysis in 1986 were returned to EFMO but were missing in November, 1997 (Henning 1998). The Mound 55 remains identified by Fisher and Shermer (1987) and that are listed as uncataloged on the 1986 loan and the 1990 Board of Survey are currently unaccounted for.

Adding to the confusion surrounding Accession 1 is that Beaubien (1950) recovered human remains from a second site in 1950. His excavations in the eroding talus slope at the foot of the bluff at Hanging Rock, at a site he called The Hanging Rock Site, yielded artifacts and numerous human remains. Although Beaubien lists no site number, a Petroglyph site and, subsequently, a rock shelter  $\frac{1}{4}$  up the bluff face above Beaubien's excavation were later assigned site number 13AM147. The site forms for the shelter and petroglyph are minimal in the extreme. The original date of recording is unknown and the shelter's location was replotted in 1985. Beaubien interprets his discoveries to result from interments made into crevices in the rock face above the talus slope. As the talus face was cut by railroad construction and maintenance, slumping occurred and the deposits dropped down the eroding slope. Even if Beaubien's Hanging Rock site is not precisely equivalent to current Site 13AM147, there is no question that numerous human bones, including a nearly complete bundle burial were excavated by Beaubien in 1950.

Fisher and Shermer (1987) as well as Henning (1998) found it difficult to explain why Accession 1 contained several human bones that bore the ink inscription AM47. There seemed to be no ready explanation for why human remains from Spike Hollow Rockshelter (13AM47) would be mixed with Beaubien's Accession 1. Among the possible explanations are:

1. human remains from an unrelated project at 13AM47 became mixed with accession 1,
2. the labeling of AM47 on the bones is in error and was meant to read AM147, or
3. the bones in accession 1 were, in fact, labeled AM147 but the "1" is difficult to distinguish from the right leg of the "M."

If the bones labeled AM47 are from Beaubien's 1950 excavation at the Hanging Rock site, then the 1986 loan and Fisher and Shermer's 1987 report did include at least some of the human remains from both of the sites that yielded human remains in 1950. Regardless of any possible interpretation of this situation, the human remains from Accession 1 are all unaccounted for.

2

This accession includes one human bone thought to be from the Ellison Orr Collection. Provenience is unknown. This item was not loaned to Fisher and Shermer and was not relocated by Henning (1998) in late 1997. This item is not presently accounted for.

5

This accession includes human remains from Mound 7, Sny Magill Mound Group, 13CT18. Henning indicates that the Catalog # is 291, but that number does not appear on any of the Board of Survey, loan, or other lists examined to date (see Table 1). Fisher and Shermer were loaned a few bones in 1986 that do not fully conform to Beaubien's (1953a) description of the remains from Mound 7, which include considerable numbers of bones from two burials, one of which was a nearly complete, compact, bundle burial. Henning (1998) suggests that

Fisher and Shermer did not receive all the human remains that Beaubien excavated from Mound 7 and it is very clear they did not receive the human remains from Mounds 24, 27, or 43 that were excavated during the same session as Mound 7. Henning (1998) summarizes data about these other mounds and their contents. The remains from Accession 5 that were loaned to Fisher and Shermer were returned to EFMO (5/11/87), but were missing in November 1997 (Henning 1998). In 2011, after a number of human remains were returned to the park, Shermer was able to account for the Mound 7 remains in the 1986 loan as being present in the park collection. As noted above under "No #," most, or perhaps all, of the Mound 27 remains noted by Henning (1998) were delivered to EFMO in 2000 and were repatriated and reburied in Mound 27 in 2001. The history of the other remains from Mound 7 and all of those from the 1952 excavations at Mounds 24 and 43 is undetermined and their whereabouts unknown. It is possible that, as with the Mound 27 remains returned in 2000, these other remains may never have been accessioned at EFMO.

8

Highway 76 Rockshelter, 13CT231. When the human remains from this site were studied by Fisher and Shermer in 1986, they were assumed to be from the park, but recent mapping (2011) indicates the site is within the road right-of-way and is not on park property (Nepstad personal communication, 12/12/11). The remains that were loaned to Fisher and Shermer were returned to EFMO in 1987 and 1990. They were not found by Henning (1998) in the park collections in November, 1997. After the return of remains to EFMO in 2011, Shermer accounted for many, but not all, of the catalog entries that had been part of the 1986 loan and the 1990 Board of Survey. Shermer also identified other "possible" human remains from this accession in 2011 when she examined the entire park collection. The remains from this accession identified by Shermer in 2011 are listed on Table 1. Other remains from the site were identified by Lillie (2003) (apparently from within the existing park collection?) and were subject to a NAGPRA Notice of Inventory (Federal Register Vol. 73, No. 135) and subsequent repatriation in 2008. The 1986 loan and 1990 Board of survey lists are not fully equivalent (Table 1) and only a portion of the catalog entries on those lists are currently accounted for at EFMO.

The catalog number contradictions are:

4619 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
4790 on 1990 BOS, not on 1986 loan form. Accounted for in 2011  
4800 on 1990 BOS, not on 1986 loan form. Accounted for in 2011  
4816 on 1990 BOS, not on 1986 loan form. Accounted for in 2011  
5001 in 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5076 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5077 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5144 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5212 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5317 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5558 on 1900 BOS, not on 1986 loan form. Accounted for in 2011  
5694 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011  
5706 on 1990 BOS, not on 1986 loan form. Not accounted for in 2011

12

Devil's Den Mound Group or Marquette-Yellow River Mound Group 2, 13CT50, Mound 2. The remains, in the form of a bundle burial, were excavated in 1957. The bundle burial was curated at MWAC from 1973 until it was returned to EFMO

(along with separately packaged remains from EFMO Acc. 147, Mound 43, catalog number 9917) by former EFMO Park Archeologist Jacqueline St. Clair in May 2001. Before its transfer to EFMO, the bundle burial was cataloged within Accession 12 as number 9916. Later in 2001, the bundle burial was removed from its plaster jacket by OSA. The remains were the subject of a Federal Register NAGPRA Notice of Inventory (Vol. 66, No. 47). The remains were repatriated and reburied in 2001. A single additional bone from this accession was identified by Lillie (2003). The disposition of that remain is undetermined. A possible second unresolved issue regarding Accession 12 is that the remains from this accession may have become admixed with remains from accession 147 or 148 while laid out on a table at EFMO (see discussion under Accession 147 below).

13

New Albin Rockshelter. The remains from this accession consisted of a nearly complete skull. These remains were reburied through the OSA program.

14

Elephant Terrace, 13AM59. Henning (1998) doubts these should have been part of Logan's Accession from that site as indicated in the accession record since Logan found no human remains there. The appropriate project association was not determined by Henning. The remains were reburied through the OSA program.

16

Mound 36 or Mound 37, 13AM190 in 1928. The human remains from this accession were returned to EFMO in May, 1987 after the loan to Fisher and Shermer, but were missing from the park collection in November 1997. After human remains were returned to EFMO in 2011, Shermer identified all of the catalog numbers that were on the 1986 loan, indicating that all the remains were accounted for at EFMO. However, an unresolved issue for this accession is that the 1990 Board of Survey listed 13 catalog numbers (645-657) that do not appear on the 1986 loan form. If those entries are correct, it would appear that those remains are unaccounted for.

44

Unknown provenience. According to Henning (1998), in late 1997 the remains were awaiting reburial through the OSA program. Disposition is undetermined.

48

Waukon Junction Rockshelter, 13AM268. The remains listed on the 1986 loan form and the 1986 Board of Survey were reburied through the OSA program. In 2003, Lillie identified additional remains under three catalog entries for Accession 48. These remains were documented through a NAGPRA Notice of Inventory in the Federal Register (Vo. 73, No. 104) in 2008 and were repatriated in 2008.

49

Spike Hollow Rockshelter, 13AM47. The remains on the 1986 loan form were reburied through the OSA program. A potential remaining issue is that the catalog numbers listed on the 1986 loan form and the 1986 Board of Survey



form are not identical. Catalog number 3021 is on the 1986 deaccession list, but not on 1986 loan form. With the exception of catalog number 3115, catalog numbers 3088 through 3131 are listed on the 1986 loan form, but not on 1986 deaccession list. Despite the fact that these remains have been reburied, this discrepancy should be further examined, especially since there were bones labeled AM47 in Accession 1.

50

Near Guttenburg, Iowa. The remains in this accession were reburied through the OSA program.

51

Quandahl Shelter. According to Henning (1998) in late 1997 the remains were awaiting reburial through OSA program. Subsequent disposition is undetermined.

53

The human remains from this accession are from Mound 18, 13AM207, excavated by Husted in 1971. The remains loaned in 1986 and listed on the Board of Survey in 1990 are accounted for at EFMO.

60

A single catalog entry was identified as a possible human bone in 2003 (Lillie). This remain was repatriated by EFMO in 2008.

70

Marquette Rockshelter, exact location and site number not known. The donor is unknown. The remains from this accession were reburied through the OSA program. There are inconsistencies in the catalog entries between the various lists for this accession as noted in the following summary:

1350 is on the 1986 loan but not on the 1986 deaccession list  
1351 is on the 1986 loan but not on the 1986 deaccession list  
1352 is on the 1986 loan but not on the 1986 deaccession list  
1382 is on the 1986 loan but not on the 1986 deaccession list  
1383 is on the 1986 loan but not on the 1986 deaccession list  
1384 is on the 1986 loan but not on the 1986 deaccession list  
4124 is on the 1986 loan but not on the 1986 deaccession list  
4128 is on the 1986 loan but not on the 1986 deaccession list  
4129 is on the 1986 deaccession list but not on the 1986 loan  
4141 is on the 1986 loan but not on the 1986 deaccession list  
4148 is on the 1986 loan but not on the 1986 deaccession list  
4154 is on the 1986 loan but not on the 1986 deaccession list  
4156 is on the 1986 loan but not on the 1986 deaccession list  
4168 is on the 1986 loan but not on the 1986 deaccession list  
4169 is on the 1986 loan but not on the 1986 deaccession list (also on 2003  
list)  
4177 is on the 1986 loan but not on the 1986 deaccession list (also on 2003  
list)  
4192 is on the 1986 loan but not on the 1986 deaccession list  
4193 is on the 1986 loan but not on the 1986 deaccession list  
4196 is on the 1986 loan but not on the 1986 deaccession list

4207 is on the 1986 loan but not on the 1986 deaccession list  
4211 is on the 1986 loan but not on the 1986 deaccession list  
4222 is on the 1986 loan but not on the 1986 deaccession list  
4229 is on the 1986 loan but not on the 1986 deaccession list  
4266 is on the 1986 loan but not on the 1986 deaccession list  
4268 is on the 1986 deaccession list but not on the 1986 loan (also on 2003  
list)  
4279 is on the 1986 deaccession list but not on the 1986 loan  
4292 is on the 1986 deaccession list but not on the 1986 loan  
4317 is on the 1986 loan but not on the 1986 deaccession list  
4321 is on the 1986 loan but not on the 1986 deaccession list  
4323 is on the 1986 deaccession list but not on the 1986 loan  
4331 is on the 1986 loan but not on the 1986 deaccession list (also on 2003  
list)  
4334 is on the 1986 deaccession list but not on the 1986 loan  
4381 is on the 1986 loan but not on the 1986 deaccession list  
4382 is on the 1986 deaccession list but not on the 1986 loan  
4392 is on the 1986 loan but not on the 1986 deaccession list  
4395 is on the 1986 loan but not on the 1986 deaccession list  
4401 is on the 1986 loan but not on the 1986 deaccession list  
4462 is on the 1986 loan but not on the 1986 deaccession list  
4468 is on the 1986 deaccession list but not on the 1986 loan  
4475 is on the 1986 deaccession list but not on the 1986 loan  
4491 is on the 1986 loan but not on the 1986 deaccession list  
4534 is on the 1986 loan but not on the 1986 deaccession list  
4535 is on the 1986 loan but not on the 1986 deaccession list (also on 2003  
list)  
4551 is on the 1990 Board of survey list but not on any other list  
"uncataloged" is on the 1990 Board of Survey but not on any other list

The 1986 loaned remains were reburied, but the disposition of the catalog numbers listed on the 1986 deaccession but not on the loan is undetermined. The disposition of the single 1990 Board of Survey catalog entry and the 1990 uncataloged entry is undermined, but should be considered to be missing.

72

Provenience is ground surface 4 miles north of Harper's Ferry, Iowa. The 1986 Board of Survey lists catalog number 591 from Accession 72. However, the 1986 loan lists catalog number 591 from Accession 87. No remains from Accession 72 were loaned to or analyzed by Fisher and Shermer and were not relocated by Henning in November 1997 or Shermer in 2011.

77

Karnoop Mound Group, Prairie du Chien, WI. These remains were transferred from the NPS to OSA and from OSA to the State Historical Society of Wisconsin for reburial.

78

Mound 12, Red House Landing Mound Group, 13AM101, excavated by John Ingmanson. The remains from this accession were loaned to Fisher and Shermer and returned to EFMO in 1987. They were not relocated by Henning in late 1997. Shermer identified all but 7 fragments at EFMO in 2011. Those 7 are apparently unaccounted for.

87

Unknown provenience and donor. The remains were loaned to Fisher and Shermer and returned to EFMO in 1987. The loan form includes catalog number 591 but the 1986 Board of Survey lists that catalog number as from Acc. 72. The remains loaned to Fisher and Shermer were reburied through the OSA program.

95

Unknown provenience. The remains were not listed on the loan to Fisher and Shermer and were not analyzed by them. Catalog numbers 1940 and 1941 in addition to "uncataloged" materials were listed on the 1990 Board of Survey. These materials were not located in the park collections in late 1997 by Henning. These remains were identified at EFMO in 2011.

106

Mound 33, Fire Point, 13AM190, excavated by Wilfred Logan, 1952. The remains from this accession were loaned to Fisher and Shermer and returned to EFMO in May, 1987. The remains were not relocated in November 1997 by Henning or by Shermer in 2011.

107

Mound 39, Fire Point, 13AM190, EFMO. These remains were loaned to Fisher and Shermer and returned to EFMO in May, 1987. The remains not relocated in November 1997 by Henning. Although there were no remains labeled Acc. 107 or remains within containers labeled 107 at EFMO in 2011, Shermer surmises that the Acc. 107 remains might be accounted for in the miscellaneous remains returned to EFMO in 2011.

109

Mound 38, Fire Point, 13AM190, EFMO. These remains were loaned to Fisher and Shermer and returned to EFMO in May, 1987. The remains not relocated in November 1997 by Henning or by Shermer in 2011.

110

Surface, Mound 38 (surface), Fire Point, 13AM190, EFMO. No human remains from this accession were loaned to Fisher and Shermer, but "uncataloged" remains are listed on the 1990 Board of Survey. The remains were not relocated in November 1997 by Henning or in 2011 by Shermer.

111

Mound 41, Fire Point, 13AM190, EFMO. Human remains from this accession were loaned to Fisher and Shermer and returned to EFMO in May, 1987. The remains not relocated in November 1997 by Henning, but were accounted for by Shermer in 2011 and are housed at EFMO.

132

Remains collected outside EFMO. These remains were not loaned to or analyzed by Fisher and Shermer. They are listed under two catalog entries on the 1990 Board of Survey. They were not relocated by Henning in November, 1997. They

are not presently accounted for, but there are no identifications to work from in determining if they are among the materials returned to EFMO in 2011.

142

Area between Mounds 89 and 91, Sny Magill. Curated by Luther College as of 1996. These remains (fragments form a skull) were collected after the Fisher and Shermer identification project was complete. The disposition of these remains is undetermined.

147/148

The Acc. 147 (or 148?) remains, which were from Mound 43 at Sny Magill (13CT18) were returned to EFMO from MWAC by EFMO Archeologist St. Clair in May 2001. Henning suggests they are from Accession 148, but park memoranda list the accession as 147, with catalog number 9917. They were packaged separately from the 13CT50 bundle burial that was returned to EFMO during this same event. Communications between EFMO and MWAC in 2001 indicate that these remains may have become admixed with the bundle burial while laid out on a table at EFMO after their return in 2001. The skull fragments are not specifically listed in any of the park's several NAGPRA Notice of Inventory or repatriation from 2001 through 2008 (Table 4) and their disposition is undetermined.

148

According to Henning (1998), this accession includes an error in the EFMO accession book. Henning indicates that the remains in this accession should be those that he recovered during repair of vandalized Mound 43 in 1991. The accession book indicates Mound 68, which was investigated in 1990, but from which no human remains were recovered. As noted above, park correspondence with MWAC indicates that the human remains recovered by Henning from Mound 43 are cataloged as # 9917 within Accession 147.

The circumstances of discovery of the remains from Mound 43 in 1991 were thought by Henning to be "a mystery," given the good condition of the bone and the lack of consistency with findings of Beaubien in 1952 when bone in Mound 43 was all found to be in very poor condition. The remains from Henning's study were curated at MWAC until they were returned to the park by Jackie St. Clair in May, 2001.

Table 3. Excavations at sites now within EFMO that are reported to have yielded human remains.

Site	Mound	Mound Group/shelter	Year	Excavator	Accession
13CT26	77	Marching Bear	1961	Ingmanson*	?
13CT231**		Hwy 76 Rockshelter	1954	Logan	8
13AM101	12	Third Scenic View	?	Ingmanson	78
13AM207	18	Twin Views	1971?	Husted	53
13AM189	28	Great Bear/Wildcat	1971	Husted	?
13AM190	33	Fire Point	1952	Logan	106
13AM190	36 or 37	Fire Point	1928	Field	16
13AM190	38	Fire Point	?	Gordon	109
			?	?	110
13AM190	39	Fire Point	?	?	107
13AM190	41	Fire Point	?	Gordon	111
13AM82	55	Three Mound	1950	Beaubien	1
13AM82	57	Three Mound	1950	Beaubien	1 or none?
13AM147		Hanging Rock talus	1950	Beaubien	1? - site "47" issue IDd by Shermer??
13CT18	7	Sny Magill	1952	Beaubien	5
13CT18	24	Sny Magill	1952	Beaubien	none?
13CT18	27	Sny Magill	1952	Beaubien	none?
13CT18	43	Sny Magill	1952	Beaubien	none?
			1991	Henning***	147 or 148
13CT18	89/91	Sny Magill	1988	Henning	142
13CT55	66	Dumb-Bell	?	?	60 (1 item IDd in 2003)

\* Ingmanson makes no mention of human remains in his yearly report memorandum (1961) to Regional Archeologist Beaubien.

\*\* Site was recently determined to be outside the EFMO park boundary

\*\*\* Henning (1998:12) reports that accession 148 is incorrect in that it references Mound 68. Henning indicates the accession should be for Mound 43. However, park memoranda to MWAC identify the Henning Mound 43 accession as 147 rather than 148 and further indicate that catalog number 9917 was assigned to the human remains from Henning's 1991 repair of Mound 43.

Table 4. Summary of EFMO Federal Register NAGPRA notices.

Citation	date	Site	Accession	Comments
Vol.66, No.47	3/9/2001	3 Mound Group, Mound 57	none or acc. 5?	Not repatriated in 2001
Vol.66, No.47	3/9/2001	Sny Magill, Mound 27	none or acc. 5?	Repatriated 2001
Vol.66, No.47	3/9/2001	13CT50	12	Repatriated 2001
Vol.66, No.47	3/9/2001	Mounds in area of EFMO	undetermined	Repatriated in 2001
Vol.67, No.54	03/20/2003	3 Mound Group, Mound 57	none or Acc. 5?	Correction to previous notice
Vol.69, No.243	12/20/2001	3 Mound Group, Mound 57	none or Acc. 5?	Repatriated in 2005
Vol.73, No.104	05/29/2008	Waukon Junction Rockshelter	48	Repatriated in 2008
Vol.73, No.104	05/29/2008	Marquette Rockshelter	70	Repatriated in 2008
Vol.73, No.135	07/14/2008	Hwy 76 Rockshelter	8	Repatriated in 2008
Vol.73, No.135	07/14/2008	Spike Hollow Rockshelter	49	Repatriated in 2008
Vol.73, No.135	07/14/2008	Marquette-Yellow River Mound Group No. 9, Mound 66	60	Repatriated in 2008

Explanation:

The information in this table was taken from the actual notices and from data in Tables 1 through 3. Site numbers and names do not appear in each case in the notices and accession numbers are not listed in the notices.



United States Department of the Interior  
NATIONAL PARK SERVICE  
LAW ENFORCEMENT, SECURITY, and EMERGENCY SERVICES  
INVESTIGATIVE SERVICES BRANCH

IN REPLY REFER TO:

**Memorandum**

Date: 01/23/2012

To: Jim Nepstad – EFMO Superintendent

From: David Barland-Liles  
Special Agent

Subject: ISB-MW-11-0404 – Investigation update

Below is a chronology of my investigative findings thus far:

12/27/2011 – Telephone interview with Kathleen Miller – Miller stated she never received or read Dr. Henning’s report. Miller stated she met with Munson during her EFMO Superintendent tenure and found him to be “colossally unhelpful” with questions related to the location of the missing Native American remains.

12/30/2011 – Telephone interview with (b) (6), (b) (7)(C) remembered signing the July 16, 1990 Report of Survey. He claims he was told by Munson the attached list of items to be “abandoned” were animal bones. (b) (6), (b) (7)(C) claimed he never inspected the items or attended a formal Board of Survey related to the report.

01/04/2012 – Telephone interview with Karen Gustin. Gustin claimed she never saw the April 23, 1996 memorandum from Michelle Watson, possibly due to (b) (6), (b) (7)(C) leave.

01/10/2012 – Telephone interview with Dr. Dale Henning. Henning claimed after delivering his report to the NPS he was never consulted and assumed the report had not been read.

01/17/2012 - Interview at EFMO of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) claimed he does not remember signing the July 16, 1990 Report of Survey or understand the circumstances associated with it. (b) (6), (b) (7)(C) stated he remembers a great deal of paranoia from Munson associated with NAGPRA. (b) (6), (b) (7)(C) stated 6-8 maintenance employees helped Munson move in one evening during the summer of 1990.

01/18/2012 – Interview at EFMO of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) admitted she was ordered by Munson to remove all Native American remains from EFMO’s collection due to the pending enactment of NAGPRA. (b) (6), (b) (7)(C) removed the remains, placed them in one or two boxes, and gave them to Munson. (b) (6), (b) (7)(C) stated she never saw them again and assumed Munson was either going to throw them away or bury them. (b) (6), (b) (7)(C) stated from 1990 to 01/18/2012 she never volunteered this information, despite the multiple efforts to locate them, because she was never directly asked. (b) (6), (b) (7)(C) stated she believed Gustin received the April 23, 1996 memorandum from Watson, Miller received and read the Henning report,



Ewing was presented with Henning's report and (b) (6), (b) (7)(C) knew the July 16, 1990 Report of Survey concerned the removal of Native American remains from the collection.

01/18/2012 – Interview in Prairie du Chien of Thomas Munson. Munson claimed he received a “directive” from an unspecified NPS source to remove all Native American remains from EFMO’s collection to repatriate them prior to the enactment of NAGPRA. Munson claims he did not know where or how to repatriate the remains and was not provided with the proper personnel or funding to do so. Therefore the remains were stored by an unspecified employee in a multi-use garage used by him and the EFMO maintenance staff. At some point, Munson drove the remains to the Midwest Archeological Center, who Munson claims was fighting NAGPRA “tooth and nail,” and half of the remains were removed by an unspecified employee(s). The remains not removed were returned to EFMO and restored in the multi-use garage by an unspecified employee. The box was accidentally removed from the garage by high school students hired to move his belongings to Prairie du Chien. Munson claims he discovered the box in his garage during Gustin’s tenure and unsuccessfully attempted to have EFMO pick it up. With each EFMO Superintendent Munson attempted to have EFMO retrieve the box but was asked to continue to store it until he handed it over to Bob Palmer on April 28, 2011.

**ROUTING AND TRANSMITTAL** IP

Date 1-25-90

JAN 29 1990

AREA DISTRIBUTION	
TO	Initial
Superintendent	WA
Chief Ranger	
Admin Tech	
Clerk-Typist	
Res Mgr	
Maintenance	
Laborers	
Park Rgrs	

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Superintendent, EFMO		
2. Superintendent, ISRO		
3. Superintendent, MOCI		
4. Superintendent, OZAR		
5. Superintendent, SCBL		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

**REMARKS**

For your information.

If you wish to correct, add to, delete from, or dispute the figures for your park, please let me know by phone or SEADOG within the next few working days.

Thanks

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

John E. Hunter

5041-102 ★ U.S. GPO: 1986-491-247/40007

OPTIONAL FORM 41 (Rev. 7-76)  
Prescribed by GSA  
FPMR (41 CFR) 101-11.206

SO (408)

on museum collections

to your telephonic inquiry  
inquiries to the relevant  
sent out by the American  
so that questionnaire is  
Archeological Center.

Estimated Age	Cultural Affiliation
ARCHEOLOGICAL CENTER	
200 AD	Woodland
Unknown	Prehistoric
1000 AD	Mississippian
Unknown	Unknown
Unknown	Unknown

on Park Service lands.

5

AGFO	One "bundle" burial full skeleton	1 (child) *	18-19th C.	Unknown
AGFO	Five crania	5 *	18-19th C.	Unknown
AGFO	One cranium	1 *	18-19th C.	Clallam

**DRAFT**

JAN 29 1990

AREA DISTRIBUTION	
TO	Initial
✓ Superintendent	WA
Chief Ranger	
Adm. Tech.	
Clerk-Typist	
✓ Res. Mgr	
Maintenance	
Laborers	
Para Regs	

D6215(MWR-MI)

JAN 25 1990

Memorandum

To: Chief, Curatorial Services Division, WASO (408)

From: Staff Curator, Midwest Regional Office

Subject: Native American remains in Midwest Region museum collections

The following information is provided in response to your telephonic inquiry of January 23. The data presented are based on inquiries to the relevant parks and on our 1988 response to a questionnaire sent out by the American Association of Museums. A copy of our response to that questionnaire is enclosed for your files, courtesy of the Midwest Archeological Center.

<u>Park</u>	<u>Description</u>	<u>Number of Individuals</u>	<u>Estimated Age</u>	<u>Cultural Affiliation</u>
THE FOLLOWING ARE LOCATED AT THE MIDWEST ARCHEOLOGICAL CENTER				
EFMO	One "bundle" burial	1 or more	1200 AD	Woodland
ISRO	About 50 fragmentary elements	5 (est.)	Unknown	Prehistoric
OZAR	One partial burial 4 isolated fragments	4	1000 AD	Mississippian
VOYA	One incomplete "bundle" burial	4 (est.)	Unknown	Unknown
Other	Isolated finds and surface collected elements from Smith- sonian Institution work in South Dakota.	4 (est.)	Unknown	Unknown
				These are not from Park Service lands.

THE FOLLOWING ARE LOCATED IN THE RESPECTIVE PARKS

AGFO	One "bundle" burial full skeleton	1 (child) *	18-19th C.	Unknown
AGFO	Five crania	5 *	18-19th C.	Unknown
AGFO	One cranium	1 *	18-19th C.	Clallam

**DRAFT**

JAN 25 1990

2

<u>Park</u>	<u>Description</u>	<u>Number of Individuals</u>	<u>Estimated Age</u>	<u>Cultural Affiliation</u>
EFMO	Cremation ashes and skeletal fragments	40	100 BC to 600 AD	Woodland
MOCI	Cremation ashes and skeletal fragments		200 AD	Hopewellian
SCBL	Skeletal fragments	2-3 (est.) *	Unknown	Unknown

The specimens indicated by an asterisk were not recovered archeologically, so far as is known. Those from Agate Fossil Beds (AGFB) are part of the Cook Collection and consist of specimens given to James or Harold Cook by friends. There is no documentation as to their origin or age, though the park believes all are late 18th or early 19th Century. The Clallam specimen is from British Columbia.

The figures from Effigy Mounds (EFMO) and Mound City Group (MOCI) are reliable estimates based on recent counts of specimens in collection storage. The figures from MOCI also include five individuals in exhibits (one in the visitor center and four in the Mica Grave Mound exhibit outdoors). In the cases of cremated remains, we are assuming that each bagged specimen, which comprises the contents of one archeologically recovered burial pit, represents one individual. Of course, later study may prove that not to be the case.

Please let me know if you require further information on this subject or wish more details about holdings in this Region.

John E. Hunter

cc:

Superintendent, Effigy Mounds  
Superintendent, Isle Royale  
Superintendent, Mound City Group  
Superintendent, Ozark  
Superintendent, Scotts Bluff/Agate Fossil Beds  
Superintendent, Voyageurs  
Chief, Midwest Archeological Center



# United States Department of the Interior

NATIONAL PARK SERVICE

MIDWEST REGION  
1709 JACKSON STREET

OMAHA, NEBRASKA 68102-2571



FEB 13 1990

FEB 12 1990

IN REPLY REFER TO:

D6215 (NWR-MI)

AREA DISTRIBUTION	
TO	Initial
Superintendent	<i>hm</i>
Chief Ranger	
Admin. Tech.	
Clerk-Typist	
Res. Mgr.	
Maintenance	
Laborers	
Park Rgrs	

Memorandum

To: Chief, Curatorial Services Division, WASO (408)

From: Staff Curator, Midwest Regional Office

Subject: Native American remains in Midwest Region museum collections

The following information is provided in response to your telephonic inquiry of January 23. The data presented are based on inquiries to the relevant parks and on our 1988 response to a questionnaire sent out by the American Association of Museums. A copy of our response to that questionnaire is enclosed for your files, courtesy of the Midwest Archeological Center.

<u>Park</u>	<u>Description</u>	<u>Number of Individuals</u>	<u>Estimated Age</u>	<u>Cultural Affiliation</u>
-------------	--------------------	------------------------------	----------------------	-----------------------------

THE FOLLOWING ARE LOCATED AT THE MIDWEST ARCHEOLOGICAL CENTER

EFMO	One "bundle" burial	1 or more	1200 AD	Woodland
ISRO	About 50 fragmentary elements	5 (est.)	Unknown	Prehistoric
OZAR	One partial burial 4 isolated fragments	4	1000 AD	Mississippian
VOYA	One incomplete "bundle" burial	4 (est.)	Unknown	Unknown
Other	Isolated finds and surface collected elements from Smith- sonian Institution work in South Dakota.	4 (est.)	Unknown	Unknown

These are not from Park Service lands.

THE FOLLOWING ARE LOCATED IN THE RESPECTIVE PARKS

AGFO	One "bundle" burial full skeleton	1 (child) *	18-19th C.	Unknown
------	--------------------------------------	-------------	------------	---------

<u>Park</u>	<u>Description</u>	<u>Number of Individuals</u>	<u>Estimated Age</u>	<u>Cultural Affiliation</u>
AFGO	Five Crania	5 *	18-19th C.	Unknown
AFGO	One Cranium	1 *	18-19th C.	Clallam
EFMO	Cremation ashes and skeletal fragments	40	100 BC to 600 AD	Woodland
MOCI	Cremation ashes and skeletal fragments	37	200 BC to 500 AD	Hopewellian
MOCI	Inhumations	42	200 BC to 500 AD	Hopewellian
MOCI	Inhumations, questioned human origin	10 records	200 BC to 500 AD	Hopewellian
MOCI	Inhumations, questioned animal origin	167 records	200 BC to 500 AD	Hopewellian
SCBL	Skeletal fragments	2-3 (est.) *	Unknown	Unknown

The specimens indicated by an asterisk were not recovered archeologically, so far as is known. Those from Agate Fossil Beds are part of the Cook Collection and consist of specimens given to James or Harold Cook by friends. There is no documentation as to their origin or age, though the park believes all are late 18th or early 19th Century. The Clallam specimen is from British Columbia. The figures from Effigy Mounds and Mound City Group are reliable estimates based on recent counts of specimens in collection storage. The figures from Mound City also include five individuals in exhibits (one in the visitor center and four in the Mica Grave Mound exhibit outdoors). In the cases of cremated remains, we are assuming that each bagged specimen, which comprises the contents of one archeologically recovered burial pit, represents one individual. Of course, later study may prove that not to be the case. The majority of remains at Mound City are Hopewellian, but a number (quantity unknown) probably are from the later intrusive Mound Culture. Where the number of individuals could not be determined, the number of catalog records for the remains is given; we are assuming that one record equals one individual until further research indicates otherwise.

So far as I am aware, all specimens reported above have been cataloged except for those on exhibit at Mound City. Those specimens are scheduled to come off exhibit later this year, in response to National Park Service policies, and will be cataloged thereafter.

Please let me know if you require further information on this subject or wish more details about holdings in this Region.

/s/ John Hunter

John E. Hunter

cc:

Superintendent, Effigy Mounds  
Superintendent, Isle Royale  
Superintendent, Mound City Group  
Superintendent, Ozark  
Superintendent, Scotts Bluff/Agate Fossil Beds  
Superintendent, Voyageurs  
Chief, Midwest Archeological Center

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | 1. CONTRACT ID CODE | PAGE OF PAGES  
| | |

2. AMENDMENT/MODIFICATION NO. | 3. EFFECTIVE DATE | 4. REQUISITION/PURCHASE REQ. NO. | 5. PROJECT NO.  
Amendment No. 003 | 07/16/98 | | (If applicable)

6. ISSUED BY | CODE | 17. ADMINISTERED BY | CODE |  
+-----+ | (If other than Item 6) | +-----+  
ADMINISTRATION (319) 873-3491 | |  
EFFIGY MOUNDS NATIONAL MONUMENT | |  
151 HWY 76 | |  
HARPERS FERRY, IOWA 52146 | |

COPY FOR YOUR INFORMATION

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) | (V) 9A. AMENDMENT OF SOLICITATION NO.  
+-----+ | +-----+  
Illinois State Museum Society | 9B. DATED (SEE ITEM 11)  
Spring and Edwards Streets | |  
Springfield, Illinois 62706 | |  
217-782-6092 | 10A. MODIFICATION OF CONTRACT/ORDER NO.  
217-785-5996 | 1443PX6290-97-012  
| X |  
| 10B. DATED (SEE ITEM 13)

CODE | FACILITY CODE | 09/16/97

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning \_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)



AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT 11. CONTRACT ID CODE

2. AMENDMENT/MODIFICATION NO. 13. EFFECTIVE DATE 14. REQUISITION/PURCHASE REQ. NO. 15. PROJECT NO.  
Amendment No. 003 | 07/16/98 |

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS,  
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(V) 1A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM  
14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

X 1B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such  
as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO  
THE AUTHORITY OF FAR 43.103(b).

1C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

1D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor [x] is not, [ ] is required to sign this document and return \_\_\_ copies  
to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings,  
including solicitation/contract subject matter where feasible.)

Purchase Order No. 1443PX6290-97-012 dated 9/16/97 is modified for the convenience of the  
Government. This modification extends the delivery date for the final reports from July 31,  
1998 to September 15, 1998.

Total purchase order remains at \$6000.00 payable in full upon final acceptance of the  
project reports.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or  
10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) | 16A. NAME AND TITLE OF CONTRACTING OFFICER  
| FLORENCIA M. WILES, NPS-MW-IC-075

15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | 16C. Date signed  
| | | BY Florescia M. Wiles | 07/16/98  
(Signature of person | (Signature of  
authorized to sign) | contracting officer) |

NSN 7540-01-152-8070  
PREVIOUS EDITION UNUSABLE

30-105

STANDARD FORM 30 (REV. 10-83)  
Prescribed by GSA  
FAR (48 CFR) 53.243

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	11. CONTRACT ID CODE	PAGE OF PAGES
AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		

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2. AMENDMENT/MODIFICATION NO.	13. EFFECTIVE DATE	14. REQUISITION/PURCHASE REQ. NO.	15. PROJECT NO.
Amendment No. 002	05/12/98		(If applicable)

-----

6. ISSUED BY	CODE	17. ADMINISTERED BY	CODE
		(If other than Item 6)	
ADMINISTRATION (319) 873-3491			
EFFIGY MOUNDS NATIONAL MONUMENT			
151 HWY 76			
HARPERS FERRY, IOWA 52146			

-----

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(V)	19A. AMENDMENT OF SOLICITATION NO.
	+---+	
Illinois State Museum Society		19B. DATED (SEE ITEM 11)
Spring and Edwards Streets		
Springfield, Illinois 62706		
217-782-6092		110A. MODIFICATION OF CONTRACT/ORDER NO.
		1443PX6290-97-012
	x	110B. DATED (SEE ITEM 13)
CODE		09/16/97
	1 FACILITY CODE	

-----

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

-----

[ ] The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning \_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

-----

12. ACCOUNTING AND APPROPRIATION DATA (If required)

-----

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT 11. CONTRACT ID CODE

2. AMENDMENT/MODIFICATION NO. 13. EFFECTIVE DATE 14. REQUISITION/PURCHASE REQ. NO. 15. PROJECT NO.  
Amendment No. 002 | 05/12/98 |

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS,  
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

(V) 1A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM  
14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

1B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such  
as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO  
THE AUTHORITY OF FAR 43.103(b).

1C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

1D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor [X] is not, [ ] is required to sign this document and return \_\_\_ copies  
to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings,  
including solicitation/contract subject matter where feasible.)

Purchase Order No. 1443PX6290-97-012 dated 9/16/97 is modified for the convenience of the  
Government. This modification extends the delivery date for the final reports from  
June 1, 1998 to July 31, 1998.

Total purchase order remains at \$6000 payable in full upon final acceptance of the project.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or  
10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) | 16A. NAME AND TITLE OF CONTRACTING OFFICER  
| FLORENCIA M. WILES, NPS-MW-IC-075

15B. CONTRACTOR/OFFEROR | 15C. DATE SIGNED | 16B. UNITED STATES OF AMERICA | 16C. Date signed  
| BY Florescia M. Wiles | 05/12/98  
(Signature of person | (Signature of  
authorized to sign) | contracting officer)

NSN 7540-01-152-8070  
PREVIOUS EDITION UNUSABLE

30-105

STANDARD FORM 30 (REV. 10-83)  
Prescribed by GSA  
FAR (48 CFR) 53.243

**ORDER FOR SUPPLIES OR SERVICES**

**IMPORTANT: Mark all packages and papers with contract and/or order numbers.**

1. DATE OF ORDER 09/16/97	2. CONTRACT NO. (If any) OM	3. ORDER NO. 1443PX6290-97-012	4. REQUISITION/REFERENCE NO. RF06290-7-0004
------------------------------	--------------------------------	-----------------------------------	--

5. ISSUING OFFICE (Address correspondence to) ADMINISTRATION (319) 873-3491 EFFIGY MOUNDS NATIONAL MONUMENT 151 HWY 76 HARPERS FERRY, IOWA 52146	6. SHIP TO: (Consignee and address, ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5
--	--

7. TO: CONTRACTOR (Name, address and ZIP Code)  Illinois State Museum Society Spring and Edwards Streets Springfield, Illinois 62706  217-782-6092	8. TYPE OF ORDER <input checked="" type="checkbox"/> A. PURCHASE -- Reference your _____  Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of FAR Part 13 <input type="checkbox"/> B. DELIVERY -- Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.
--	---

COPY

9. ACCOUNTING AND APPROPRIATION DATA 6290-UZB 2555 \$6000.00	10. REQUISITIONING OFFICE CID EFFIGY MOUNDS NATIONAL MONUMENT
---	--

11. BUSINESS CLASSIFICATION (Check appropriate box(es)) <input type="checkbox"/> SMALL <input type="checkbox"/> OTHER THAN SMALL <input type="checkbox"/> DIS-ADVANTAGED <input type="checkbox"/> WOMEN-OWNED
--

12. F.O.B. POINT Destination	13. PLACE OF INSPECTION AND ACCEPTANCE Harpers Ferry, Iowa	14. GOVERNMENT B/L NO. N/A	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 02/01/98	16. DISCOUNT TERMS NET 30
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**17. SCHEDULE (See reverse for Rejections)**

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	Assessment of specific objects in the museum collections of Effigy Mounds National Monument. Scope of Work attached and incorporated into this purchase order.  Objectives 1 and 2 from Scope of Work: Not to Exceed:  Contracting Officer's Representative: Kathleen L. Miller 319-873-3491  Mid-point progress report due: 12/15/97 Draft reports due: 01/02/98 Final reports due: 02/01/98  Initial meeting scheduled between COR Miller and Dr. Dale Henning before commencing work.	1	JOB	6000.00	6,000.00	

18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.	17(M). TOT. (Cont. pages)
21. MAIL INVOICE TO: (Include ZIP Code) SAME AS ISSUING OFFICE ADDRESS, ITEM #5			17(I). GRAND TOTAL 6,000.00

22. UNITED STATES OF AMERICA BY (Signature) 	23. NAME (Typed) FLORENCIA M. WILES, NPS-MW-IC-075 TITLE: CONTRACTING/ORDERING OFFICER
---	--

**SCOPE OF WORK FOR AN ASSESSMENT OF SPECIFIC OBJECTS  
IN THE MUSEUM COLLECTIONS OF  
EFFIGY MOUNDS NATIONAL MONUMENT  
IN RELATION TO THE NATIVE AMERICAN GRAVES PROTECTION  
AND REPATRIATION ACT OF 1990 (NAGPRA)**

This Scope of Work is for an assessment of certain objects in the museum collections of Effigy Mounds National Monument that have either been determined to or potentially meet the definitions of Inventory or Summary objects as defined by Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The purpose of this study assessment is to document whether certain objects in the monument's museum collections potentially meet the definitions of NAGPRA. The results of the assessment will provide park managers with information to be used to update their NAGPRA Summary and Inventory, and will be used in NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

**Background**

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) requires Federal agencies to provide information about Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in their collections, to Native American lineal descendants and Indian tribes. NAGPRA gives those federally recognized American Indian Tribes and Native American lineal descendants the right to claim for repatriation certain cultural items and human remains held in park museum collections.

Effigy Mounds National Monument, Harpers Ferry, Iowa, prepared a Summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony in 1993, an Inventory of human remains and associated funerary objects in 1995, and have consulted with Tribal representatives. Both the Summary and Inventory were prepared based on information provided in the museum's catalog and accession records and the Ellison Orr archives.

The NAGPRA Summary of 1993 for Effigy Mounds National Monument lists 19 entries consisting of pipe fragments, red ocher, awl sharpeners, sherds, projectile points, and more. At this time, possible contemporary affiliation for the Summary objects is unknown. The NAGPRA Inventory of 1995 lists culturally unidentifiable Native American remains which were recovered from two separate sites. The monument's museum collection contains approximately 18,000 items on site including objects and archival records. A small collection of materials and associated records are curated at the Midwest Archeological Center (MWAC), Lincoln, Nebraska. This collection at MWAC has not been cataloged and is considered a

catalog backlog. All other collections at the monument, however, are catalogued and entered into the National Park Service's Automated National Catalog System (ANCS), a database which can be accessed through dBase III.

Since the preparation of the NAGPRA Summary and Inventory, the staff at Effigy Mounds National Monument believes there may be additional items in the monument collections that may fit the categories and definitions of NAGPRA, and thus, these items should be added to the lists. The possibility also exists that certain other items already listed should not be.

### **Study Objectives**

Effigy Mounds National Monument is requesting a professional assessment of specific objects in their monument collections, together with accession records, to determine the status of these objects in relation to NAGPRA. The assessment will be the basis for a future study to evaluate potential cultural affiliation of objects with contemporary cultures and for NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

Two unresolved issues exist in the monument's records related to a 1990 deaccession of human remains. A review of the deaccession process and related documents and records is needed to clarify the disposition of these items and determine whether any associated grave goods remain in those accessions. If so, those existing grave goods would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument.

More specifically, the objectives of the study are to:

Objective 1. conduct a professional review and evaluation of the NAGPRA Summary and Inventory objects already listed for Effigy Mounds National Monument, other collection objects that have been recently identified as being potential Summary objects, and any other collection items that are identified during the review as potentially eligible as either Summary or Inventory objects as defined under NAGPRA;

Objective 2 conduct a comprehensive review of the 1990 deaccession including primary fieldwork documentation related to the deaccessioned objects, relevant accession and deaccession records, and park correspondence files, together with any objects still remaining in those accessions (Note: If grave goods still remain in those accessions, they would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument);

The contractor will provide Effigy Mounds National Monument with two reports.

Item 1, Objective 1: The first report will provide recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

Item 2, Objective 2: The second report will summarize the accession history and assess the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

### **Project Specifications**

The work conducted under this contract will be done in direct coordination with the park management of Effigy Mounds National Monument.

The assessments will be based on examination and evaluation of museum collection objects, together with research of appropriate published and unpublished historical, ethnographic, and legal literature and records, and other pertinent sources of information. The findings of this assessment will be documented and supported by appropriate historical and ethnographic evidence, and identified and cited in sufficient detail as to allow the information to be readily located and reviewed. Any sources that are not readily available, such as unpublished material, will be photocopied and included as appendices or attachments to the final study reports.

Any research necessary is to be performed in accordance with this scope-of-work and under the authority and requirements of the National Historic Preservation Act of 1966 as amended (PL 96-515), the Historic Sites Act of 1935 (PL 74-292), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the National Park Service's Cultural Resources Management Guideline (NPS-28; release no. 4, 1994).

### **Project Deliverables and Schedule**

The study will commence no later than November 1, 1997, with final reports being completed on or before February 1, 1998.

Work is to be preceded by a meeting with the Superintendent Kathleen L. Miller, Effigy Mounds National Monument at a mutually agreed date and time. Superintendent Miller will also serve as Contracting Officer's Representative for this procurement. At this meeting, the contractor will seek answers to any questions that he or she has before commencing work.

The contractor will submit a mid-point progress report to Contracting Officer Representative Kathleen L. Miller. This report will summarize the work accomplished during the time reported upon, and any findings and problems encountered. This report detailing progress of the research will be submitted on December 15, 1997.

The products of the study will be two separate written reports. The first written report (Item 1, Objective 1) will recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

The second written report (Item 2, Objective 2) will summarize the accession history and access the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

The reports should contain photocopies of any relevant unpublished materials used in the study assessment, as well as any photographs taken during the course of assessing collection objects. The written reports will be submitted in both draft and final form. Two copies of the unbound draft reports will be submitted on or before January 2, 1998, and will be clearly marked as draft copies. The review draft final reports should be substantially complete. The draft version of the reports will be reviewed by the National Park Service. The National Park Service will furnish the contractor with review comments on the draft reports by January 15, 1998. The contractor will make any requested changes to the reports and submit it in final form by February 1, 1998. The final reports will be submitted in one camera-ready, reproducible (unbound) original, and seven bound paper copies. The final reports will be submitted in electronic form in *Microsoft Word* (Version 6.0) file format. If possible, all appendices and attachments will be submitted in the same file format.

All reports and correspondence will be submitted to Contracting Officer Florencia M. Wiles. Contracting Officer's Representative Kathleen L. Miller, Effigy Mounds National Monument will recommend final acceptance of the project.



## **Principal Investigator**

The Principal Investigator shall be responsible for all aspects of the research and report writing and production. If the reports are written by someone other than the Principal Investigator, the title pages shall bear the inscription "prepared under the supervision of (name), Principal Investigator." The Principal Investigator shall also prepare, as a minimum, a "Foreword" describing the context of the reports, the significance of the work, and any other background circumstances relating to the manner in which the work was undertaken. The individuals responsible for all or part of the reports shall be credited and directly identified where appropriate.

The Principal Investigator shall lead the research team, and the composition of any such team is at the discretion of the Principal Investigator.



PROMOTING THE EDUCATIONAL AND RESEARCH  
ACTIVITIES OF THE ILLINOIS STATE MUSEUM

SPRING AND EDWARDS STREETS ■ SPRINGFIELD, IL 62706 ■ TEL 217-782-6092

September 15, 1997

Administration  
Attn: Kate Miller, Superintendent  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

Dear Ms. Miller:

Enclosed please find our response to RFQ6290-7-0004. We propose that the work be performed in part by and administered by Dr. Dale R. Henning, Ph.D., who is very familiar with the collections curated by Effigy Mounds National Monument and, in many instances, the circumstances under which specific items were collected. A copy of Dr. Henning's resume is appended.

We have read the scope of work and feel that we can perform all phases of this work and both objectives within the limits of your budgeted amount. The staff at the Illinois State Museum has been deeply involved with NAGPRA issues for the past several years and has the experience and expertise to assist in this work as needed.

If there are questions about our proposal, please address them to Dr. Henning at 217/785-5996.

Sincerely,

*Charlotte A. Montgomery CPA*

Charlotte A. Montgomery, CPA  
Administrator



**REQUEST FOR QUOTATIONS**  
 (This is not an order)

1. REQUEST NO. 12. DATE ISSUED 13. REQUISITION/PURCHASE REQUEST NO. 14. CERT. FOR NAT. DEF. (RATING UNDER DDSA REG. 2 AND/OR DWS REG. 1->)

RFQ5290-7-0004 09/08/97

**12. SCHEDULE (Include applicable Federal, State and local taxes)**

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
	Assessment of specific objects in the museum collections of Effigy Mounds National Monument. Scope of Work attached. Provide quotations for each objective on this project may be funded in part or in entirety based on funds available. Item 1, objective 1 is a required item. You must have quoted on Item 1, objective 1. Item 2, objective 2 is an optional item. Quotes received with only Item 2 quoted will be considered non-responsive and may not be further considered.				
	In Satisfaction SOW, Objective 1	1	ea		\$4,294.43
	In Satisfaction SOW, Objective 2	1	ea		1,705.72

13. DISCOUNT FOR PROMPT PAYMENT -> 10 CALENDAR DAYS 20 CAL. DAYS 30 CAL. DAYS CAL. DAYS

X X X X

NOTE: Page 3 must also be completed by the quote.

14. NAME AND ADDRESS OF QUOTER (Street, city, county, State and ZIP Code)  Illinois State Museum Society Spring and Edwards Streets Springfield, Illinois 62706	15. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION  <i>Charlotte A. Montgomery</i>	16. DATE OF QUOTATION  9/15/97
	17. NAME AND TITLE OF SIGNER (Type or print)  Charlotte A. Montgomery, CPA Administrator	18. TELEPHONE NO. (Include area code)  217/782-6092

NSN 7540-01-152-0004  
 PREVIOUS EDITION NOT USABLE

10-118

STANDARD FORM 10 (REV. 10-83)  
 Prescribed by GSA  
 FAR (48 CFR) 53.215-1(m)

NATIONAL PARK SERVICE

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**REQUEST FOR QUOTATIONS** |  
(This is not an order)

1. REQUEST NO.	2. DATE ISSUED	3. REQUISITION/PURCHASE REQUEST NO.	4. CERT. FOR NAT. DEF. (RATING UNDER BDSA REG. 2 AND/OR DMS REG. 1->)
RFG8290-7-0004	09/02/97		

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**REPRESENTATIONS, CERTIFICATIONS, AND PROVISIONS**

The following representation applies when the contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia.

**52.219-1 SMALL BUSINESS CONCERN REPRESENTATION (Jan 1991)**

The offeror represents and certifies as part of its offer that it  is,  is not a small business concern and that  all,  not all end items to be furnished will be manufactured or produced by a small business concern in the United States, its territories or possessions, Puerto Rico, or the Trust Territory of the Pacific Islands. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the size standards in this solicitation.

The following provision is applicable if required on page 1 of the form:

**52.219-4 Notice of Small Business-Small Purchase Set-Aside (Aug 1988)**

Quotations under this acquisition are solicited from small business concerns only. If this purchase is for supplies, it will be made only from a small business concern furnishing its own manufactured product, or from a small business concern providing the product of another manufacturer. In either case, such product must be manufactured or produced in the United States, its territories or possessions, Puerto Rico, or the Trust Territory of the Pacific Islands. Quotations that are not from a small business shall not be considered and shall be rejected.

STANDARD FORM 10 PAGE 3 (REV. 10-83)

Title: NPS Effigy Mounds Nagpra Inventory, Objective 1					9/15/1997	
Proposed Budget						
Wages and Salaries (W&S)	Rate	Unit	Number	Amount	Totals	
Director, Princ. Inv.	\$21.64	hour	37.5	\$807.75		
Senior Archeologist	\$18.00	hour	0	\$0.00		
Archeologist Technician	\$17.48	hour	0	\$0.00		
Archeologist/Technician	\$14.19	hour	75	\$1,064.25		
Archeologist/Crew Chief	\$12.08	hour	0	\$0.00		
Archeologist/Lab Chief	\$10.50	hour	0	\$0.00		
Field/Laboratory Assistant	\$8.11	hour	0	\$0.00		
Archeobotanist	\$13.58	hour	0	\$0.00		
Osteologist	\$10.77	hour	0	\$0.00		
Archeozoologist	\$9.23	hour	0	\$0.00		
Historian	\$12.47	hour	0	\$0.00		
Illustrator	\$15.00	hour	0	\$0.00		
Computer Operator	\$12.15	hour	0	\$0.00		
Clerk-Typist	\$8.93	hour	0	\$0.00		
<b>Wages and Salaries Subtotal</b>						<b>\$1,872.00</b>
<b>Indirect Costs (40% of W&amp;S)</b>						<b>\$748.80</b>
<b>Fringe Benefits (29% of W&amp;S)</b>						<b>\$542.88</b>
<b>*Travel Expense</b>						
Vehicle Lease	\$30.00	day	3	\$90.00		
Mileage	\$0.30	mile	900	\$270.00		
**Meals	\$30.00	day	6	\$180.00		
**Lodging	\$55.00	day	2	\$110.00		
<b>Travel Expense Subtotal</b>						<b>\$650.00</b>
Expendable Supplies	\$25	day	5			\$125.00
<b>Report Preparation</b>						
Illustrations	\$10	each	5	\$50.00		
Photo reproduction	\$25	each	3	\$75.00		
Computer lease	\$2.41	hour	75	\$180.75		
Report Duplication	\$5	each	10	\$50.00		
<b>Report Preparation Subtotal</b>						<b>\$355.75</b>
Curation	\$250.00	box				\$0.00
<b>Total Cost</b>						<b>\$4,294.43</b>
*Public transportation (rail, air) may be employed if necessary by negotiation						
**1997 Federal Per Diem Rates by State and Region, effective January 1, 1997						

NPS Effigy Mounds Nagpra Inventory, Objective 2						9/16/1997
Proposed Budget						
Wages and Salaries (W&S)	Rate	Unit	Number	Amount	Totals	
Director, Princ. Inv.	\$21.54	hour	15	\$323.10		
Senior Archeologist	\$18.00	hour	0	\$0.00		
Archeologist Technician	\$17.48	hour	0	\$0.00		
Archeologist/Technician	\$14.19	hour	37.5	\$532.13		
Archeologist/Crew Chief	\$12.08	hour	0	\$0.00		
Archeologist/Lab Chief	\$10.50	hour	0	\$0.00		
Field/Laboratory Assistant	\$8.11	hour	0	\$0.00		
Archeobotanist	\$13.58	hour	0	\$0.00		
Osteologist	\$10.77	hour	0	\$0.00		
Archeozoologist	\$9.23	hour	0	\$0.00		
Historian	\$12.47	hour	0	\$0.00		
Illustrator	\$15.00	hour	0	\$0.00		
Computer Operator	\$12.15	hour	0	\$0.00		
Clerk-Typist	\$8.93	hour	0	\$0.00		
<b>Wages and Salaries Subtotal</b>						<b>\$855.23</b>
<b>Indirect Costs (40% of W&amp;S)</b>						<b>\$342.09</b>
<b>Fringe Benefits (29% of W&amp;S)</b>						<b>\$248.02</b>
<b>*Travel Expense</b>						
Vehicle Lease	\$30.00	day		\$0.00		
Mileage	\$0.30	mile		\$0.00		
**Meals	\$30.00	day		\$0.00		
**Lodging						
<b>Travel Expense Subtotal</b>						<b>\$0.00</b>
<b>Expendable Supplies</b>	\$25	day	3			<b>\$75.00</b>
<b>Report Preparation</b>						
Illustrations	\$10	each	2	\$20.00		
Photo reproduction	\$25	each	1	\$25.00		
Computer lease	\$2.41	hour	37.5	\$90.38		
Report Duplication	\$5	each	10	\$50.00		
<b>Report Preparation Subtotal</b>						<b>\$185.38</b>
Curation	\$250.00	box				\$0.00
<b>Total Cost</b>						<b>\$1,705.72</b>
*Public transportation (rail, air) may be employed if necessary by negotiation						
**1997 Federal Per Diem Rates by State and Region, effective January 1, 1997						

**RESUME**  
**Dale R. Henning, Ph.D.**  
**Archeologist**

*February 2, 1997*

**EDUCATION**

- 1953 Luther College, B.A., history  
1960 University of Iowa, M.A., anthropology  
1969 University of Wisconsin-Madison, Ph.D., anthropology

**EXPERIENCE, CULTURAL RESOURCE MANAGEMENT (CRM)**

**Non-Academic, Private**

- 1996- **Illinois State Museum.**  
Director, Archeological Services  
Responsible for direction and coordination of all cultural resource management projects involving archeological investigations conducted by the Illinois State Museum. Clients include US Army Corps of Engineers (Rock Island District, St. Louis District, Waterways Experiment Station), US Fish and Wildlife Service, US Navy, Illinois Department of Natural Resources, other state, county and city agencies and private business organizations too numerous to list.
- 1994-6 **Rivercrest Associates, Inc.**  
Vice-President, Senior Project Archeologist
- 1996 - Archeological Predictive Model, City of Hastings, Minnesota State Historic Preservation Office
- 1995 - Archeological Investigations, Six Sites in Freeborn, Murray, Cottonwood and Nobles Counties, Windom Wetland Management Office, US Fish & Wildlife Service  
- Archeological Investigation, Parcel 133(A), Detroit Lakes Wetland Management District, US Fish & Wildlife Service  
- St. Croix River Crossing Project, Phase I Cultural Resource Investigation of Bayport Wildlife Management Area, Washington County  
- Archeological Investigation of the Grimm Farmstead, Carver Park Reserve, Carver County (with Timothy Roberts)
- 1993-5 **Loucks & Associates, Inc.**  
Senior Project Archeologist
- 1994-5 - Phase III Archeology, McKinstry Site, Trunk Highway 11, International Falls, Minnesota, Minnesota Department of Transportation  
- Cemetery Location for Minnesota Indian Affairs Council
- 1993-5 - Phase III Archeology, Wever Terrace Site, Highway 61, Burlington, Iowa, Iowa Department of Transportation
- 1993 - Lake Minnetonka Regional Park, Suburban Hennepin Regional Park System, Minnesota, Phase II archeological investigation (with Timothy Roberts)

**Academic Institutions**

Cultural Resource Management came into its own in the early 1970's, although it had its beginnings well before that decade. Salvage and contract archeology programs conducted at the University of Missouri are not included below, but the experience gained there (see Academic, Professional Responsibilities, 1959-68) was invaluable to CRM work conducted elsewhere. 1972-1978 As Director of the Division of



Archeological Research, University of Nebraska-Lincoln, was responsible for the completion of projects and reports listed below. Clients included the National Park Service, U.S. Army Corps of Engineers, Nebraska Public Power, U.S. Soil Conservation Service, and various other federal, state and local agencies. While at Luther College from 1979-92, was Principal Investigator for projects listed below. Major projects conducted while associated with academic institutions are listed below.

#### **Luther College**

- 1991 - Blood Run National Historic Landmark Analysis of artifacts obtained from previous salvage efforts
  - Blood Run National Historic Landmark Investigation of documentary resources (with Barbara Long)
  - Sny Magill Mound Group Testing, evaluation for National Park Service
  - Winneshiek County Bridge archeological survey
- 1990 - Phase I Cultural Resource Investigation of the Burlington to Des Moines Highway Corridor: Section II (Iowa Department of Transportation) (with BRW, Minneapolis, Mn.)
- 1989 - Highway 61, Phase II Archeology, eastern Iowa (Iowa Department of Transportation) (with BRW, Minneapolis, Mn.)
- 1987 - Testing and evaluation, Sny Magill mounds and rockshelters, Effigy Mounds National Monument
  - Magnetometer survey, Effigy Mounds National Monument
- 1986 - Blood Run National Historic Landmark Archeological Salvage, continuing Joint project with Luther College, Office of State Archeologist (OSA), Iowa Archeological Society (IAS) and Augustana College
- 1985 - Blood Run National Historic Landmark Archeological Salvage Joint project with Luther College, OSA, IAS involving one month of intensive field work
- 1984 - Luther College Farm Renovation Project
- 1982 - Phase III Historic and Prehistoric Archeological Excavations, Bentonsport, Iowa for Iowa Department of Transportation
  - Small Projects in Northeast Iowa: Decorah Airport Extension, Wastewater Treatment Facilities at Fayette, Elkader, and Decorah
- 1982 - Cultural Resources of the CBD Loop Arterial Project Area, Phase I Archeology
- 1981 - Phase I-II Testing for Decorah, Iowa Wastewater Treatment Facility
  - Phase III Excavations, Blue River Parkway Project, Kansas City, Missouri
  - Phase III Investigation, Jefferson County, Missouri (MODOT)
- 1980 - Phase III Investigation, Jefferson County, Missouri, continuing
  - Iowa Landmark Sites Mapping and Evaluation
  - Tarkio River Valley Archeological Survey
  - Terrace Hill Project Subsurface testing of historic archeological site at Iowa Governor's mansion
- 1979 - Phase III Investigation, Jefferson County, Missouri
  - Phase III Investigation, Pike County, Missouri Project
  - Indian Bluffs, Iowa Wilderness Area
  - Mississippi River Valley Cultural Resources Survey
  - Cannon Reservoir Archeological Project, continuing

#### **University of Nebraska-Lincoln**

- 1978 - Cannon Reservoir Archeological Project
- 1977 - Investigation of several Nebraska watersheds (USSCS)
  - Cannon Reservoir Archeological Project

- 1975 - Survey and Evaluation of Historic and Prehistoric Cultural Resources, Nebraska for Smithsonian Institution
  - Two projects with Omaha Public Power District for archeological inventory, survey, and evaluation
  - Pumped Power Station Project, continuing
  - Cannon Reservoir Archeological Project, continuing
  - Inventory and Evaluation of Ellison Orr Collection for National Park Service
- 1974 - Pumped Power Station Project for Nebr. Public Power
  - Cannon Reservoir Archeological Project, Phases I, II, III (Salt River drainage, northeast Missouri) for US Army Corps of Engineers, St. Louis District.
  - Excavations, Proposed Perry Creek Project, Northwest Iowa
- 1973 - Excavation in the Midstate Project Area of Central Nebraska
  - Research on Land-leveling Practices, Midstate Project Area
  - Archeological Survey, Upper Nemaha Drainage, Nebraska
- 1972 - Archeological Survey of the Proposed Midstate Project
  - Archeological Survey for Early Sites, Northwest Nebraska
  - Archeological Survey of the Proposed Perry Creek Project, Northwest Iowa

#### **Consultation**

As private consulting archeologist, served as archeological investigator, principal investigator, or co-principal investigator for various projects and reports from 1992 to 1993. Clients included the National Park Service, Iowa Department of Transportation, Missouri Department of Transportation, Missouri Department of Natural Resources, Iowa Department of Natural Resources, Iowa SHPO, the U.S. Army Corps of Engineers, and various other federal, state and local agencies.

- 1991 - Cultural Resource Investigation, Walnut Creek Wildlife Refuge, Jasper County, Iowa.
  - Evaluate damage to mound, Effigy Mounds National Monument, NPS
  - Historic Archeological Survey of Fort Des Moines No. 3, National Historic Landmark, Des Moines, Iowa (with Barbara Long for Corps of Engineers, Omaha District)
  - Iowa Tribe of Oklahoma, evaluate and report findings on possible tribal village/cemetery location in northwest Missouri

#### **Field Work and Research Development and Supervision, not CRM**

- 1974 Field training in archeology. Perry Creek, northwest Iowa.
- 1972 Field training in archeology. Eastern Nebraska: Nebraska variant, Central Plains culture.
- 1972 Analysis of an Oneota Subsistence System (NSF grant)
- 1971 Joint summer session in archeology with University of Minnesota. Excavated Great Oasis and Oneota sites in southwest Minnesota.
- 1971 Traveling summer session in archeology. Plains, Intermontane and Southwest archeology taught through visits to sites and excavations.
- 1970 Traveling summer session in archeology. Midwest, Plains, Prairie Peninsula, Intermontane and Southwest archeology taught through visits to sites and excavations.
- 1969 Research Council grant for research in the archeology of northwest Iowa. Excavations on Great Oasis and Mill Creek sites near Sioux City, Iowa
- 1966 Instructor, University of Missouri-Columbia summer training session in archeology. Utz and King Hill Oneota sites
- 1964 Research Assistant, University of Wisconsin-Madison, Oneota Project (NSF grant)
- 1963 Science Faculty Teaching Fellow, University of Wisconsin-Madison, academic year (NSF grant)

- 1963 Field Supervisor, University of Wisconsin-Madison: Climatic Change and the Mill Creek Culture of Iowa (NSF grant)
- 1960-2 Field Supervisor, University of Missouri-Columbia: summer projects, Meramec River, Joanna Reservoir for National Park Service
- 1958-9 Research Associate, University of Missouri-Columbia (academic year) projects in Table Rock and Joanna Reservoirs, for National Park Service
- 1956-8 Graduate school training, University of Iowa, excavations in northwest, southeast, southwest Iowa

## **ACADEMIC, PROFESSIONAL POSITIONS**

### **University of Minnesota**

1995- Graduate faculty, Interdisciplinary Archeological Studies

### **Institute for Minnesota Archaeology**

1995- Fellow

### **Luther College**

1979-92 Professor of Anthropology

### **University of Nebraska-Lincoln**

1975-79 Professor of Anthropology

1971-75 Associate Professor of Anthropology

1969-71 Assistant Professor of Anthropology

1968-69 Instructor in Anthropology

### **University of Wisconsin-Madison**

1963-64 NSF Science Faculty Teaching Fellow

1962-63 Teaching Assistant, General Anthropology

### **University of Missouri-Columbia**

1965-68 Instructor in Anthropology

1959-62 Instructor in Anthropology

## **ADMINISTRATION**

- 1996- Director, Contract Archeology Program, Illinois State Museum
- 1986-92 Director, Luther College Archeological Research Center
- 1985-90 Director, Freshman Honors Program, Luther College
- 1983-88 Academic Grants Officer, Luther College
- 1979-88 Director, Contract Archeology Program, Luther College
- 1978-79 Acting Chairman, Anthropology, University of Nebraska-Lincoln
- 1975-79 Director, Division of Archeological Research, University of Nebraska-Lincoln, CRM and research projects in Nebraska, Missouri, Iowa, South Dakota. \$500,000/annum
- 1965-68 Director, Museum of Anthropology, University of Missouri-Columbia
- 1965-68 Director, American Archeology Program, University of Missouri-Columbia, salvage and research program, permanent staff of nine, budget \$150,000-200,000. Research in Missouri, Iowa, Nebraska, Kansas, North Dakota, South Dakota.
- 1959-62 Director, Museum of Anthropology, University of Missouri-Columbia

## **PROFESSIONAL ACTIVITIES**

- 1982-88 Member, Iowa State National Register Review Committee
- 1982-88 Member, Iowa State Historical Board

- 1981-85      Chairman, Association of Iowa Archeologists  
 1973-75      President, Board of Directors, *Plains Anthropologist*  
 1972          Memoir Editor, *Plains Anthropologist*  
 1969-75      Editor, *Journal of the Iowa Archeological Society*  
 1980-83      Editor, *Journal of the Iowa Archeological Society*

#### SELECTED PUBLICATIONS

- 1996    The archeology of two Great Oasis sites in the Perry Creek valley, Northwest Iowa. *Journal of the Iowa Archeological Society* Volume 43:7-118.
- 1995    Oneota Evolution and Interactions: A Perspective from the Wever Terrace, Southeast Iowa (in) *Oneota Archaeology. Past, Present, and Future*, William Green, ed., Report 20, Office of the State Archaeologist, Iowa City.
- 1993    The Adaptive Patterning of the Dhegiha Sioux. *Plains Anthropologist*, vol. 38.
- 1992    *A Study of Pottery from the Blood Run Site (13L02). 1985 Excavations*. Archeological Research Center. Decorah, Iowa.
- 1990    Cultural Adaptations to the Prairie Environment: The Ioway Example (in) *Proceedings of the 12th North American Prairie Conference*. Cedar Falls, Iowa.
- 1988    Excavations of the South Lawn area, Terrace Hill. *Journal of the Iowa Archeological Society*, vol. 35.
- 1986    Summary report, Regional Conference on Cultural Resource Management: the Plains. *Society for American Archeology Special Publication*.
- 1985    Blood Run Excavations, 1985. *Archeological Society Newsletter*, Vol. 35, No. 2, Issue 14 (with Shirley Shermer).
- 1984    The Blood Run Site...Recent Investigations. *Iowa Archeological Society Newsletter*, Issue 112.
- 1982    Archeological investigations, Terrace Hill. *Iowa Archeological Society Newsletter*, No. 104.
- 1982    Evaluative investigations of three Landmark sites in northwest Iowa. *Luther College Archeological Research Center*.
- 1982    Great Oasis-Mill Creek interrelationships (in) *Interrelations of Cultural and Fluvial Deposits in Northwest Iowa*, Bettis and Thompson, eds., Association of Iowa Archeologists, Iowa City (with E.R. Henning).
- 1982    Mill Creek and Great Oasis sites (in) *Interrelations of Cultural and Fluvial Deposits in Northwest Iowa*, Bettis and Thompson, eds., Association of Iowa Archeologists, Iowa City (with E.R. Henning).
- 1981    Excavations in the proposed Perry Creek Reservoir. *Technical Report No. 81-9*. Department of Anthropology, Division of Archeological Research, University of Nebraska-Lincoln.
- 1980    A prehistoric cultural resources survey in the proposed Perry Creek Reservoir. *Technical Report No. 80-10*. Department of Anthropology, Division of Archeological Research, University of Nebraska-Lincoln.
- 1978    Plains (in) *Chronologies in New World Archeology* (with Warren W. Caldwell). Academic Press.
- 1977    The Hatton mound, a two component burial site in northeast Missouri. *The Missouri Archeologist* (with Linda Kleppinger).
- 1974    The Jaguar in North America. *American Antiquity* (with Pierre M. Daggett).
- 1974    *Osage Indians IV* (with Carl H. Chapman). Garland Publishing, New York.
- 1971    Great Oasis culture distributions. *Prehistoric Investigations*. Report 3, Office of the State Archeologist of Iowa. The University of Iowa Department of Publications, Iowa City.
- 1970    Oneota culture in the lower Missouri River valley. *The Missouri Archeologist*, Vol. 32.

- 1969 A local sequence for Mill Creek sites in the Little Sioux Valley. *The Plains Anthropologist*, Vol 14, No. 46 (with Robert B. Vis).
- 1967 Mississippian influences on the eastern Plains border, an evaluation. *The Plains Anthropologist*, Vol 12, No. 36.
- 1967 Ceramics from the Mill Creek sites (in) Climatic Change and the Mill Creek Culture of Iowa. *Archives of Archeology*, No. 29.
- 1965 Rearticulated burials from the Upper Iowa River valley. *Journal of the Iowa Archeological Society*, Vol 13 (with Martin Q. Peterson).
- 1961 Archeological research in the proposed Joanna Reservoir, Missouri. *The Missouri Archeologist*, Vol. 23.
- 1961 Oneota ceramics in Iowa. *Journal of the Iowa Archeological Society*, Vol. 11, No. 2.
- n.d. Plains Village Tradition: eastern periphery (chapter in) *New Handbook of the North American Indian*, Smithsonian Institution (in press).
- n.d. The Oneota Tradition (chapter in) *Prehistory of the Great Plains*. University of Kansas Press, Lawrence (in press).

#### PAPERS RECENTLY PRESENTED

- 1996 The Perry Creek Phase: Terminal Great Oasis? 54<sup>th</sup> Annual Plains Anthropological Conference, Iowa City, Iowa.
- 1996 Oneota: The Western Manifestations. 54<sup>th</sup> Annual Plains Anthropological Conference, Iowa City, Iowa.
- 1995 Managing Oneota. Annual Meeting, Midwest Archaeological Conference, Beloit, Wisconsin.
- 1994 Oneota Evolution and Interactions: A Perspective from the Wever Terrace, Southeast Iowa. Oneota Conference, Iowa City, Iowa.
- 1992 Cultural Interaction in the Plains-Prairie Ecotone: An Oneota Perspective. Plains Conference, Lincoln, Nebraska
- 1991 From people to potsherds: interpreting the Blood Run Site. Luncheon address, 23rd Annual Dakota History Conference, Sioux Falls, South Dakota.
- 1991 Great Oasis and Emergent Mississippian: the question of trade. Annual Midwest Conference for Archeology, La Crosse, Wisconsin
- 1990 The evolution of exchange centers, central Mississippi and lower Mississippi River valleys. Annual Meeting, Missouri Archeological Society, Sedalia, Missouri.
- 1990 Cultural adaptations to the prairie environment: the Ioway example. 12th North American Prairie Conference, Cedar Falls, Iowa. Paper printed in conference proceedings.
- 1989 Chair, session entitled "Recent Advances in Iowa Archeology." 34th Annual Midwest Archeological Conference, Iowa City, Iowa.
- 1989 The founding of Blood Run: who is responsible? 47th Annual Plains Conference, Sioux Falls, South Dakota.
- 1988 The adaptive patterning of the Dhegiha Sioux. Invited symposium paper, 33rd Annual Midwest Archeological Conference, Urbana-Champaign, Illinois.
- 1988 The ethnohistory of the Dhegihan-speaking tribes: a guide to archeological process. 46th Annual Plains Conference, Wichita, Kansas.

#### RECENT HONORS/AWARDS

- 1990 Keyes-OTT Award, Iowa Archeological Society
- 1990 Erwin Koch Lecturer, Missouri Archeological Society

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REQUEST FOR QUOTATIONS | The Notice of Small Business-Small Purchase Set-Aside on | Page of Pages  
(This is not an order) | page 3 of this form [x] is [ ] is not applicable. | |  
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1. REQUEST NO. | 12. DATE ISSUED | 13. REQUISITION/PURCHASE REQUEST | 14. CERT. FOR NAT. DEF. | RATING  
| | NO. | UNDER BDSA REG. 2 | |  
RFQ6290-7-0004 | 09/08/97 | | AND/OR DMS REG. 1-> | |  
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5A. ISSUED BY | 16. DELIVER BY (Date)  
ADMINISTRATION (319) 873-3491 | 02/01/98  
EFFIGY MOUNDS NATIONAL MONUMENT |  
151 HWY 76 |  
HARPERS FERRY, IOWA 52146

5B. FOR INFORMATION CALL: (Name and phone no.) (No collect calls) | [X] FOB [ ] OTHER  
DESTINATION (See  
FLORENCIA M. WILES OR KATE MILLER 319-873-3491 | Schedule)

8. TO: NAME AND ADDRESS, INCLUDING ZIP CODE | 9. DESTINATION (Consignee and  
address, including ZIP Code)  
ADMINISTRATION  
EFFIGY MOUNDS NATIONAL MONUMENT  
151 HWY 76  
HARPERS FERRY, IOWA 52146  
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10. PLEASE FURNISH QUOTATIONS TO THE | 11. BUSINESS CLASSIFICATION (Check appropriate boxes)  
ISSUING OFFICE ON OR BEFORE CLOSE OF |  
BUSINESS (Date) |  
09/15/97 | [ ] small [ ] other [ ] dis- [ ] women-  
[ ] than small [ ] advantaged [ ] owned  
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IMPORTANT: This is a request for information, and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotations must be completed by the quoter.  
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REQUEST FOR QUOTATIONS |  
 (This is not an order) |

1. REQUEST NO.	12. DATE ISSUED	13. REQUISITION/PURCHASE REQUEST NO.	14. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1->	RATING
RFQ6290-7-0004	09/08/97			

12. SCHEDULE (Include applicable Federal, State and local taxes)

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
	Assessment of specific objects in the museum collections of Effigy Mounds National Monument. Scope of Work attached. Provide quotations for each objective as this project may be funded in part or in entirety based on funds available. Item 1, objective 1 is a required item. You must have quoted on Item 1, objective 1. Item 2, objective 2 is an optional item. Quotes received with only Item 2 quoted will be considered non-responsive and may not be further considered.				

13. DISCOUNT FOR PROMPT PAYMENT ->	10 CALENDAR DAYS	20 CAL. DAYS	30 CAL. DAYS	CALENDAR DAYS
	%	%	%	%

NOTE: Page 3 must also be completed by the quoter.

14. NAME AND ADDRESS OF QUOTER (Street, city, county, State and ZIP Code)	15. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION	16. DATE OF QUOTATION
	17. NAME AND TITLE OF SIGNER (Type or print)	18. TELEPHONE NO. (Include area code)

NSN 7540-01-152-8084  
 PREVIOUS EDITION NOT USABLE

18-118

STANDARD FORM 18 (REV. 10-83)  
 Prescribed by GSA  
 FAR (48 CFR) 53.215-1(a)

NATIONAL PARK SERVICE

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REQUEST FOR QUOTATIONS |  
(This is not an order)

1. REQUEST NO.	2. DATE ISSUED	3. REQUISITION/PURCHASE REQUEST NO.	4. CERT. FOR NAT. DEF. RATING
RFQ6290-7-0004	09/08/97		UNDER BDSA REG. 2   AND/OR DMS REG. 1->

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**REPRESENTATIONS, CERTIFICATIONS, AND PROVISIONS**

The following representation applies when the contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia.

**52.219-1 SMALL BUSINESS CONCERN REPRESENTATION (Jan 1991)**

The offeror represents and certifies as part of its offer that it [ ] is, [ ] is not a small business concern and that [ ] all, [ ] not all end items to be furnished will be manufactured or produced by a small business concern in the United States, its territories or possessions, Puerto Rico, or the Trust Territory of the Pacific Islands. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the size standards in this solicitation.

The following provision is applicable if required on page 1 of the form:

**52.219-4 Notice of Small Business-Small Purchase Set-Aside (Aug 1988)**

Quotations under this acquisition are solicited from small business concerns only. If this purchase is for supplies, it will be made only from a small business concern furnishing its own manufactured product, or from a small business concern providing the product of another manufacturer. In either case, such product must be manufactured or produced in the United States, its territories or possessions, Puerto Rico, or the Trust Territory of the Pacific Islands. Quotations that are not from a small business shall not be considered and shall be rejected.

**STANDARD FORM 16 PAGE 3 (REV. 10-83)**



**SCOPE OF WORK FOR AN ASSESSMENT OF SPECIFIC OBJECTS  
IN THE MUSEUM COLLECTIONS OF  
EFFIGY MOUNDS NATIONAL MONUMENT  
IN RELATION TO THE NATIVE AMERICAN GRAVES PROTECTION  
AND REPATRIATION ACT OF 1990 (NAGPRA)**

This Scope of Work is for an assessment of certain objects in the museum collections of Effigy Mounds National Monument that have either been determined to or potentially meet the definitions of Inventory or Summary objects as defined by Public Law 101-601, the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). The purpose of this study assessment is to document whether certain objects in the monument's museum collections potentially meet the definitions of NAGPRA. The results of the assessment will provide park managers with information to be used to update their NAGPRA Summary and Inventory, and will be used in NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

**Background**

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) requires Federal agencies to provide information about Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony in their collections, to Native American lineal descendants and Indian tribes. NAGPRA gives those federally recognized American Indian Tribes and Native American lineal descendants the right to claim for repatriation certain cultural items and human remains held in park museum collections.

Effigy Mounds National Monument, Harpers Ferry, Iowa, prepared a Summary of unassociated funerary objects, sacred objects, and objects of cultural patrimony in 1993, an Inventory of human remains and associated funerary objects in 1995, and have consulted with Tribal representatives. Both the Summary and Inventory were prepared based on information provided in the museum's catalog and accession records and the Ellison Orr archives.

The NAGPRA Summary of 1993 for Effigy Mounds National Monument lists 19 entries consisting of pipe fragments, red ocher, awl sharpeners, sherds, projectile points, and more. At this time, possible contemporary affiliation for the Summary objects is unknown. The NAGPRA Inventory of 1995 lists culturally unidentifiable Native American remains which were recovered from two separate sites. The monument's museum collection contains approximately 18,000 items on site including objects and archival records. A small collection of materials and associated records are curated at the Midwest Archeological Center (MWAC), Lincoln, Nebraska. This collection at MWAC has not been cataloged and is considered a

catalog backlog. All other collections at the monument, however, are catalogued and entered into the National Park Service's Automated National Catalog System (ANCS), a database which can be accessed through dBase III.

Since the preparation of the NAGPRA Summary and Inventory, the staff at Effigy Mounds National Monument believes there may be additional items in the monument collections that may fit the categories and definitions of NAGPRA, and thus, these items should be added to the lists. The possibility also exists that certain other items already listed should not be.

### **Study Objectives**

Effigy Mounds National Monument is requesting a professional assessment of specific objects in their monument collections, together with accession records, to determine the status of these objects in relation to NAGPRA. The assessment will be the basis for a future study to evaluate potential cultural affiliation of objects with contemporary cultures and for NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants.

Two unresolved issues exist in the monument's records related to a 1990 deaccession of human remains. A review of the deaccession process and related documents and records is needed to clarify the disposition of these items and determine whether any associated grave goods remain in those accessions. If so, those existing grave goods would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument.

More specifically, the objectives of the study are to:

Objective 1. conduct a professional review and evaluation of the NAGPRA Summary and Inventory objects already listed for Effigy Mounds National Monument, other collection objects that have been recently identified as being potential Summary objects, and any other collection items that are identified during the review as potentially eligible as either Summary or Inventory objects as defined under NAGPRA;

Objective 2. conduct a comprehensive review of the 1990 deaccession including primary fieldwork documentation related to the deaccessioned objects, relevant accession and deaccession records, and park correspondence files, together with any objects still remaining in those accessions (Note: If grave goods still remain in those accessions, they would now be defined as "unassociated funerary objects" in terms of NAGPRA, and will need to be added to the NAGPRA Summary of 1993 for Effigy Mounds National Monument);

The contractor will provide Effigy Mounds National Monument with two reports. Quotations to be received for the following items.

Item 1, Objective 1: The first report will provide recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

Item 2, Objective 2: The second report will summarize the accession history and assess the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

### **Project Specifications**

The work conducted under this contract will be done in direct coordination with the park management of Effigy Mounds National Monument.

The assessments will be based on examination and evaluation of museum collection objects, together with research of appropriate published and unpublished historical, ethnographic, and legal literature and records, and other pertinent sources of information. The findings of this assessment will be documented and supported by appropriate historical and ethnographic evidence, and identified and cited in sufficient detail as to allow the information to be readily located and reviewed. Any sources that are not readily available, such as unpublished material, will be photocopied and included as appendices or attachments to the final study reports.

Any research necessary is to be performed in accordance with this scope-of-work and under the authority and requirements of the National Historic Preservation Act of 1966 as amended (PL 96-515), the Historic Sites Act of 1935 (PL 74-292), the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the National Park Service's Cultural Resources Management Guideline (NPS-28; release no. 4, 1994).

### **Project Deliverables and Schedule**

The study will commence no later than November 1, 1997, with final reports being completed on or before February 1, 1998.

Work is to be preceded by a meeting with the Superintendent Kate Miller, Effigy Mounds National Monument at a mutually agreed date and time. Superintendent Miller will also serve as Contracting Officer's Representative for this procurement. At this meeting, the contractor will seek answers to any questions that he or she has before commencing work.

The contractor will submit a mid-point progress report to Contracting Officer Representative Kate L. Miller. This report will summarize the work accomplished during the time reported upon, and any findings and problems encountered. This report detailing progress of the research will be submitted on December 15, 1997.

The products of the study will be two separate written reports with two separate quotations provided. The first written report (Item 1, Objective 1) will recommended additions to and/or deletions from the NAGPRA Summary and Inventory which Effigy Mounds National Monument completed in 1993 and 1995 respectively. For each recommendation, the report must contain specific information: catalog number, accession number, item count or quantity, object name, brief description, and a supporting justification for each recommendation. The written justifications must specify the type of object as defined under NAGPRA, and provide any references used to make each determination.

The second written report (Item 2, Objective 2) will summarize the accession history and access the status of the 1990 deaccessioned items and any objects remaining in those accessions in terms of NAGPRA. The report will contain a list of objects deaccessioned in 1990 and include: catalog number, accession number, item count or quantity, object name, and brief description. The report will also contain a list of objects remaining in the monuments collections that were once associated with those 1990 deaccessions.

The reports should contain photocopies of any relevant unpublished materials used in the study assessment, as well as any photographs taken during the course of assessing collection objects. The written reports will be submitted in both draft and final form. Two copies of the unbound draft reports will be submitted on or before January 2, 1998, and will be clearly marked as draft copies. The review draft final reports should be substantially complete. The draft version of the reports will be reviewed by the National Park Service. The National Park Service will furnish the contractor with review comments on the draft reports by January 15, 1998. The contractor will make any requested changes to the reports and submit it in final form by February 1, 1998. The final reports will be submitted in one camera-ready, reproducible (unbound) original, and seven bound paper copies. The final reports will be submitted in electronic form in *Microsoft Word* (Version 6.0) file format. If possible, all appendices and attachments will be submitted in the same file format.

All reports and correspondence will be submitted to Contracting Officer Florencia M. Wiles. Kathleen L. Miller, Superintendent, Effigy Mounds National Monument will serve as the Contracting Officer's Representative (COR) for administration of the project.

### **Qualifications of Project Personnel**

The Principal Investigator must be an anthropologist who:

1. Possesses a Ph.D degree in cultural anthropology; and
2. Has at least two years of experience in the field of study; and
3. Has shown the ability to carry research to completion; and
4. Can demonstrate knowledge of American Indian culture and history.
5. Demonstrate knowledge of NAGPRA.

The Principal Investigator shall be responsible for all aspects of the research and report writing and production. If the reports are written by someone other than the Principal Investigator, the title pages shall bear the inscription "prepared under the supervision of (name), Principal Investigator." The Principal Investigator shall also prepare, as a minimum, a "Foreword" describing the context of the reports, the significance of the work, and any other background circumstances relating to the manner in which the work was undertaken. The individuals responsible for all or part of the reports shall be credited and directly identified where appropriate.

The Principal Investigator must demonstrate knowledge of American Indian culture and history. The Principal Investigator shall lead the research team, and the composition of any such team is at the discretion of the Principal Investigator.

Quoters must demonstrate that they posses the qualifications as stated above.

### **Submission of Quotation**

The Principal Investigator shall submit a completed budget that identifies cost categories and amounts of personnel effort to be devoted to each of the research tasks identified in the above explanation. This information will be used to evaluate the adequacy of the proposed work effort allocations and scheduling for accomplishment of research goals stated in the above explanations.

Completed Request for Quotation Offers broken out as Item 1, Objective 1 and Item 2, Objective 2, and other requested information should be sent to Contracting Officer Florencia M. Wiles. They must be received by COB September 15, 1997.

Proposals which merely reiterate the information in this solicitation and which do not present further substantive information on the offeror's proposed undertaking, will be considered non-responsive and may not be further considered.

### **Evaluation of Proposals and Award of Purchase Order**

Award of the purchase order will be based primarily on the technical merit explained in offers. If an offer is received that is judged to be both responsive and responsible, it may be selected without discussion with that offeror or other offerors. If an offer is received with only Item 2, Objective 2 quoted, it will be considered non-responsive and may not be further considered. Item 1, Objective 1 is required. This project may be funded in part or in entirely based on funds available.

It is estimated that this research will cost less than \$6,000.00 in total. Offers falling outside this range may be considered nonresponsive and may not be further considered.

RFQ6290-7-0004 Mailing list

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BILL GREEN, STATE ARCHEOLOGIST  
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IOWA CITY IA 52242



S7221(EFMO)

September 4, 1998

Dr. Dale R. Henning, Director  
Archeological Services Program  
Illinois State Museum Society  
Spring and Edwards Streets  
Springfield, IL 62706

Dear Dale:

Our project draws to a close. I am forwarding the comments from our regional reviewers. You will find appreciation for your efforts and a few suggestions related to formatting and fine-tuning. Regarding the NAGPRA definitions mentioned by Michelle Watson, I do find them helpful where you have placed them (report #1, page2). It may be well to use the *verbatim* definitions from the Federal Register—but if they are too lengthy to quote at this point, I suggest retaining your paraphrased versions and citing the location of the legal definitions for the reader's reference.

I am so pleased with your dedicated effort on this project and the useful results it has produced. The reports will be at my right hand over the next several months as we proceed with NAGPRA consultations. I greatly appreciate the clear and useable presentation of your findings and the inclusion of sufficient narrative to enable future readers to understand how you arrived at your conclusions. Perhaps as important as fulfilling the immediate task, you have clearly identified the need for sustained, professional management of our collections. You have exercised great respect and tact in this process, for which we thank you.

We look forward to receiving the final report.

Sincerely,

Kathleen L. Miller  
Superintendent

Enclosure



PROMOTING THE EDUCATIONAL AND RESEARCH  
ACTIVITIES OF THE ILLINOIS STATE MUSEUM

SPRING AND EDWARDS STREETS ■ SPRINGFIELD, IL 62706 ■ TEL 217-782-6092

January 15, 1998

Ms. Kate L. Miller, Supt.  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

Subject: Contract, RFQ6290-7-0004

Dear Supt. Miller:

In the course of preparing the two reports in partial satisfaction of the above-referenced contract, I wish to solicit an extension of the due date for those reports to February 15, 1998. The work is very interesting, but has taken a great deal more time than I had expected. The extension in time will serve to improve the quality of the final products.

Thank you for your positive consideration of my request.

Sincerely,



Dale R. Henning, Director  
Archeological Services

FAX 319/873-3743

January 15, 1998

Attn: Kate Miller, Supt.

Kate: here is the list of copies, info., etc., I find need for:

Copy: Inventory (skeletal remains) 1995

Copy: Orr catalogue - page 72 (with regard to copper artifacts recovered by Keyes/Orr at O'Regan terrace)

Copy Inventory Numbers:

309, 356, (is there any to determine who donated these items on 6/27/50?) I think it might have been Orr.

2432 (re. Conch columella from a mound in Le Flore Co., Okla.)

3234 (re. Copper, Field collection)

6031 (re. Copper, Field collection) ... I hope to determine where these came from

6597 (pipe bowl, Field collection)

6598 (another pipe bowl, Field collection)

7096 (I believe these came from same context as 309, 356, above) again, who donated these?

Then, the worst: Orr manuscripts may list in the index work he did on the *Joe Martin burial site*. Can his ms. be searched through for any information on this site (current site number is 13AM133), located at (b) (3)? Unfortunately, the OSA site records list three sites at this rather general location ... the other possible one is the Joe Martin mound group (13AM110). I suppose that this important burial could have been located in a mound, but it is less likely than 13AM133. This may be a task for an astute research person.

I am seriously considering another trip to EFMO for a look in the display, but it will not be for a couple of weeks ... probably to work on a Friday. I will give adequate lead time. This will involve pulling some items off display and photographing them for the report ... this will save depending on referencing the Beaubien report on Sny Magill and mounds at EFMO.

Dale

Telephone Notes - Dale Henning  
January 8, 1998

I called Dale to check on the status of the draft report, which was due 1/2/98. He had neglected to note the contract date and has, apparently, let the project "slide" a bit. I reminded him that the completion date is February 1--and that we and regional specialists will need some time to review the draft. He apologized. I asked when he could commit to submitting the draft; he said he would make every effort to have it to us on 1/16/98.

Kate Miller

cc. Friday

# COPY

PROMOTING THE EDUCATIONAL AND RESEARCH  
ACTIVITIES OF THE ILLINOIS STATE MUSEUM



SPRING AND EDWARDS STREETS ■ SPRINGFIELD, IL 62706 ■ TEL 217-782-6092

DEC 15 1997

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December 12, 1997

Kathleen L. Miller, Superintendent  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

re: Progress Report RFQ6290-7-0004

Dear Superintendent Miller:

The work in assessment of specific objects in the museum collections of Effigy Mounds National Monument is at about the mid-way point. As you know, I visited the Monument and worked with the collections and records there on November 17 and until noon on the 18<sup>th</sup>. The collections and records were made readily available to me and the staff were very helpful.

In the course of this inspection, I reviewed the lists of recommendations of the past Superintendent for items which might be subject to NAGPRA and checked the available records on those items. Those lists of recommendations will be evaluated as the study progresses. I also made an inspection of all artifacts in the Monument collections and prepared a list of items about which I had some questions. This list was submitted to Ms. Sharon Greener, who located the computer records for each item and printed the information out. I took black and white photographs of all items which I suspected might be eligible for NAGPRA while Ms. Greener was consulting the computer records. I will compare the information on each of those objects as I prepare my report. The artifacts which are on display were also studied through the plexiglass, since it was impossible to remove the case fronts. I made notes on items I suspected were eligible for NAGPRA that could be identified by site. Some items could not be identified by site and context, a few of which may be identifiable through recourse to the literature, specifically reports written by Paul Beaubien. As you know, NAGPRA regulations interpretations and procedures have been (and, will be) modified. I will try to keep abreast of all changes in preparation of my reports.

I expect to continue this project shortly after Christmas and may have more questions about specific artifacts prior to submission of a draft report.

Thanks are due you and your staff for making my NAGPRA-related research at Effigy Mounds National Monument very pleasant, indeed.

Sincerely,

Dale R. Henning, Director  
Archeological Services

Author: Kate Miller at np-efmo  
Date: 7/8/98 8:29 AM  
Priority: Normal  
TO: EFMO Administration (Friday Wiles)  
Subject: Re: EFMO Review Draft Document dated June, 1998

Friday - I am inclined to extend the review period to 7/31. However, that means extending Dale's contract again. Since I will be on vacation 7/31 - 8/14, it will be at least another week before I can review the comments and prepare final guidance for Dale. Would you please give him a call to see if he will have time to finalize these reports between the end of August and 9/15 (in case he has travel planned during that time.)

If that is okay with him, let's extend the contract 45 days and set a new review due date of 7/31. Under this scenario, no copies need to be made. Someone can forward the MWRO copy to Mike Evans and Carolyn should be back to use the MWAC copy. We do not have the capability to produce additional complete copies here.

If that timetable won't work for Dale, we'll have to figure out something else.

Reply Separator

---

Subject: EFMO Review Draft Document dated June, 1998  
Author: EFMO Administration (Wiles, Friday) at np-efmo  
Date: 7/8/98 7:42 AM

July 2, 1998

Sue and Craig -

A document titled, "Recommendations to NAGPRA Summary and NAGPRA Inventory, Effigy Mounds National Monument," was put out on review this week, week of June 29. To my knowledge, there is only one review copy and comments are due to Sue by July 7. I am reviewing it today, July 2. However, there are others who should review this report based on their experience and expertise with EFMO. At a minimum, those reviewing the document should include Mike Evans (who Craig has already indicated should review it) as well as Carolyn Wallingford, Jan Dial-Jones and Tom Thiessen at MWAC. These individuals have reviewed earlier drafts of this report and provided valuable guidance/comments.

For all of these individuals to be given an opportunity to review this report, we need additional copies (complete including attachments and appendices). One copy should be sent to Mike in Minneapolis, one to Carolyn in Kansas where she will be for the weeks of July 6 & 13, and one to MWAC to the attention of both Jan and Tom. I will forward the review copy I have to Carolyn (care of Fort Larned). Therefore we need two additional copies of the draft report for review and comment. We will also require at a minimum two additional weeks for the review and comment period.

Will you need the copy I have for photocopying purposes or will you contact the park for additional COMPLETE copies?

Please Advise,  
/s/ Michelle

Note: I have already spoke with Carolyn about this. She would like the opportunity to review this version of the report and has requested a copy be sent to her attention at Fort Larned.

Telephone notes: 6/3/98

Dale Henning called to say his grandfather (a professional photographer) photographed these items for Orr. There were five projectile points. Grandfather said he wouldn't photograph "anybody's damn shells," according to Dale. Dale said the photo should be in Orr's notes and unlike anything else. He has a copy of the photo, but does not have time to dig through a formidable amount of material to find it. He said Dr. Field actually picked up the points, not Orr.

We discussed the status of his contract. I reminded him that the revised drafts were due 6/1. He has not begun to address the review comments yet. I advised him that we must have them no later than 6/15 and that we probably would not be able to offer any additional extensions to the contract. He said he would make every effort to have both reports here on 6/15.

Dale Henning, Telephone - 2/17/98

Dale called to say that Part 1 of the study is written and complete, except for a few photographs yet to come in. Part 2 is coming along and will follow shortly. He will express mail Part 1 in a few days.

He asked whether the items he identified as human remains had been sent off to the state. I said Mardi had been working on this, but I did not know the current status. He will leave reference to that rather general in the draft. (We can correct to make specific during review.)



FAX 319/873-3743

January 15, 1998

Attn: Kate Miller, Supt.

Kate: here is the list of copies, info., etc., I find need for:

Copy: Inventory (skeletal remains) 1995 NAGPRA

✓ Copy: Orr catalogue - page 72 (with regard to copper artifacts recovered by Keyes/Orr at O'Regan terrace)

Copy Inventory Numbers:

217-785-2857

✓ 309, 356, (is there any to determine who donated these items on 6/27/50?) I think it might have been Orr.

✓ 2432 (re. Conch columella from a mound in Le Flore Co., Okla.)

✓ 3234 (re. Copper, Field collection)

✓ 6031 (re. Copper, Field collection) ... I hope to determine where these came from

✓ 6597 (pipe bowl, Field collection)

✓ 6598 (another pipe bowl, Field collection)

✓ 7096 (I believe these came from same context as 309, 356, above) again, who donated these?

Then, the worst: Orr manuscripts may list in the index work he did on the Joe Martin burial site. Can his ms. be searched through for any information on this site (current site number is 13AM133), located at (b) (3)? Unfortunately, the OSA site records list three sites at this rather general location ... the other possible one is the Joe Martin mound group (13AM110). I suppose that this important burial could have been located in a mound, but it is less likely than 13AM133. This may be a task for an astute research person.

I am seriously considering another trip to EFMO for a look in the display, but it will not be for a couple of weeks ... probably to work on a Friday. I will give adequate lead time. This will involve pulling some items off display and photographing them for the report ... this will save depending on referencing the Beaubien report on Sny Magill and mounds at EFMO.

Date

Mardi - This is from Dale today. Pls. respond as soon as possible.

*[Handwritten signature]*

Kate → Spoke w/ Dale ... everything has been taken care of.

217-785-6092

*[Handwritten signature]*

---

Author: Kate Miller at np-efmo  
Date: 1/8/98 11:41 AM  
Priority: Normal  
Receipt Requested  
TO: EFMO Administration (Friday Wiles)  
Subject: Dale Henning Contract

----- Message Contents -----

see attached. \* If the report comes in while I am in Ashland, would you see that copies get sent to Michelle Watson and Carolyn Wallingford? Also, if it's not here by Tuesday, 1/20, would you call Dale to see what goes? Thanks.

*Tel. notes 1/8*

---

Author: Michelle Watson at NP-MWRO  
Date: 1/8/98 8:14 AM  
Subject: Study

----- Message Contents -----

Kate,

Thanks for your message of yesterday. However, in the Scope of Work for the study, the two required unbound draft reports were to have been submitted to you by the contractor on or before January 2, 1998, for review by the NPS. It sounds like the contractor is behind schedule. So that I can mark my calendar appropriately, when do you anticipate receiving the review draft reports from the contractor as I am still interested in an opportunity to provide comment on them. With my travel plans, I do not want to miss the opportunity. I also know that Carolyn Wallingford is also interested in providing comment from the curation perspective.

Thanks, and talk to you soon.

Michelle

Author: Michelle Watson at NP-MWRO  
Date: 3/18/98 12:44 PM  
Priority: Normal  
Receipt Requested  
TO: Kate Miller at NP-EFMO  
Subject: Dale Henning Report

----- Message Contents -----

Kate,

Thank you for the information. I have some additional suggestions that I hope you will find useful. This is a very important study to Effigy Mounds National Monument and to the region, so I'd like to see it be given the best review possible. While we would like to see the cultural affiliation study get underway soon, I suggest that we take the necessary time to get a thorough review of the work by Henning. As is stated in the statement for work, "The assessment will be the basis for a future study to evaluate potential cultural affiliation of objects with contemporary cultures and for NAGPRA consultations with appropriate federally recognized American Indian Tribes and Native American lineal descendants." Regardless of when the cultural affiliation study gets underway, we'll establish a 12 month time frame for completion of the study. The money must at least be obligated this FY. Thus, I suggest that enough time be allowed for a regional review of more refined versions of both reports together.

After you forward all combined comments to the contractor, I would like to suggest that you request from the contractor another review draft of Part I, as well as Part II, for our internal (not regional) review.

After all of us (you, Friday, Mardi, me, Mike, Jan, Carolyn, Tom Thiessen, Jeff Richner, Mark Lynott, and possibly others) have reviewed the next drafts, our suggestions and comments should be sent to the contractor. At that time, I'd like to suggest that you request that Henning provide you with another set of review draft reports, which could most likely be put on regional review. This, however, will depend upon how the reports look. You may want another quick internal preview first, then put the draft reports on regional review for a couple of weeks. Note that both Parts I & II should be put on regional review together at the same time.

I'll get the draft report to Mike for review and combine our comments for your use. I'll have them to you by March 30. I'll copy our comments to Jan and Carolyn, as well as to anyone else who may review the documents.

I'd also like to suggest again that Tom Thiessen, Jeff Richner, and others of the Midwest Archeological Center (MWAC) be given the opportunity to review this version of the report. They are quite familiar with the region and resources and should be able to provide you with excellent comments and suggestions.

Just a note. On two contracts that I was COTR on, I had to request from the contractor as many as 4-5 review draft reports on each contract. I placed each review draft on regional review. The contracts had exceeded their original completion dates by as many as 9 months. When the completion dates were close-at-hand, I contacted the contractor and the contracting officer to get yet another new completion date established. These were usually granted as no-cost time extensions to the contract, usually because the contractor had not yet fully met the specifications outlined in the statement for work or scope of work, and the reports had not met standards for anthropological research. The reports also contained numerous factual and grammatical errors, etc. While these contracts took considerable time and effort, it was necessary to get the type of final report that NPS wanted/needed. I could go on, but there is no need to. I wanted to let you in on how difficult some of my more recent contracts have been, but with some patience and regional expert comments & suggestions, the contracts came around and we ultimately received

documents/reports that are very useful for management purposes.

I hope you find this information useful and thanks for allowing me to be a part of this process with you.

/s/ Michelle  
Tel. 402-221-3786  
Fax. 402-221-3465

---

Author: Michelle Watson at NP-MWRO

Date: 3/13/98 9:44 AM

Priority: Normal

Receipt Requested

TO: Michael J Evans at NP-MISS

TO: EFMO Superintendent at NP-EFMO

TO: Craig Kenkel

TO: Cal Calabrese

Subject: Review of NAGPRA collections at EFMO

----- Message Contents -----

Mike,

As you were already made aware in my message of 3/5/98, I received from Superintendent Kate Miller review draft Report Part 1 for the contract with Dale Henning to make evaluations of NAGPRA collections and accompanying documentation. This work is being completed under RFQ #6290-7-0004. Report Part 2 is forthcoming in the next week or so. When Kate receives Part 2, both will be put out on regional review.

If you are interested in reviewing both reports, let me know and I'll make sure you receive them for review and comment. Kate is looking to April 17 as the due date for regional review, assuming, of course, that Part II gets done within the next week.

/s/ Michelle

NOTES FOR ACTING AND NEW SUPERINTENDENT

NAGPRA ISSUES:

Consultation has been done with:

- \* Winnebago from Winnebago, NE - Contact is David Smith (tribal historian and NAGPRA coordinator)
- \* Sac and Fox in Stroud, OK - Contact is Judith Walkingstick (she is the librarian and this tribe has a NAGPRA Committee - she coordinated my visit with them)
- \* Sac and Fox in Reserve, KS - Deanne Bahr and Curtis Gilfillan (both NAGPRA coordinators)
- \* Sac and Fox in Tama, IA - Jonathan Buffalo (NAGPRA coordinator)

The other group that needs to be consulted with is the HoChunk in Wisconsin Rapids, WI.

So far, all tribes have expressed a preference to return the human remains back to Effigy Mounds. The Sac and Fox would like to inter the remains in the park. The Winnebago have expressed an interest in seeing where the bundle burial was retrieved (which was south of the park on a bluff above Marquette). David Smith also wants the remains returned here, but he needs to be contacted again to see exactly what his preference is as to exactly where the remains should be interred. I think he could easily be convinced that they should be buried in the park.

As far as the summary list of unassociated funerary objects, objects of cultural patrimony, and sacred objects is concerned: The Sac and Fox in OK would like to see them reburied, the Sac and Fox in IA needed more time to look at the list (I haven't talked to them since our initial contact in November), and the Sac and Fox in KS would like them to be reburied if they were excavated from the ground. I haven't really finalized discussions about the summary list with the Winnebago.

NAGPRA contacts from the MWFA are Mike Evans at MISS and Michelle Watson at MWAC. I have been in touch with both of them on various issues.

Based on what I've heard so far from the tribes, I recommend that we rebury the human remains in the park, accessible to park staff, but not visitors. After you have consulted with the HoChunk in Wisconsin Rapids, I recommend that you get all the NAGPRA contacts together, invite them to the park, and discuss with them the status of the remains, and reach consensus as a group. Mardi has the budget for this type of consultation which would have to be submitted in late February and March of 97.

I recommend that we have a professional archaeologist go over our summary list to make sure that we have categorized items properly. The list was done by (b) (6), (b) (7)(C) who herself had questions when

she was completing it - she had not had any formal training).

A note: For FY98 I would apply to get an ethnographic overview or cultural affiliation study funded. We applied for an ethno ov and asses in 97 but it wasn't funded. Archaeologists have never established a clear connection between the prehistoric Woodland Indians and any modern day tribe. Our collection is considered to be culturally unidentifiable. Both the Sac and Fox and Winnebago concur with this - though David Smith from the Winnebago in NE seems to feel that there is a strong possibility that the Winnebago are descendants. I don't feel that enough scientific evidence exists at this time to establish a connection. Obviously a gap exists in this information for Effigy Mounds so if a ov and asses or cultural affiliation study was funded, it would help immensely.

Mike Evans has told me that if all the tribes are in agreement, it would be possible to complete the disposition of the human remains and summary items even before the NAGPRA Review Committee comes out with their guidelines for how to deal with culturally unaffiliated items. There doesn't seem to be any push for the Review Committee to finalize these guidelines by a particular time. I don't want to wait forever since we are actively consulting.

In early Dec I talked with Michelle Watson, who recommended strongly that we try to get a cultural affiliation study done before we decide what to do with the remains. I think that is fine, as long as it doesn't take forever to get it funded. If we wait too long, then we will have to go back and consult with the tribes all over again. Their leaders and tribal council members change frequently.

First though, I would inter the human remains based on the consensus that you reach with the tribes. After reaching consensus, I would contact Mike Evans and Michelle Watson to keep them abreast of what is happening. If a cultural affiliation study can be funded within the next year, I would go for it. However, as noted in the previous paragraph, I would not wait much longer, because of the time factor.

In conclusion, these are what I see as the next steps:

- \* The HoChunk in Wisconsin Rapids need to be consulted with. They are the last major group to consult.

- \* Next, I was planning on inviting all the contacts to Effigy Mounds to talk face to face and as a group, reach a consensus on what to do with the remains and the summary items. Obviously, you may have some information from a cultural affiliation study/ethno ov and asses to work with, or the Review Committee may have their guidelines published.



Telephone Notes: End of Year NAGPRA Funding/FY98 Base Increase

Kate Miller/Carolyn Wallingford - 8/6/97

Carolyn says that the \$3,000 addition to our FY98 base is to purchase software for the new cataloging system (cost not yet known) and upgrade hardware needed to support Windows platform. Since we do not need a hardware upgrade (a 486 will handle it), I asked what flexibility we would have with the remaining funds. Carolyn was quite cautious about this--but agreed with me that as a base increase, it would not carry the restrictions of a soft money account.

I asked for her thoughts on our proposed NAGPRA contract. In addition to reviewing the collection and updating the summary, if our funding permits she would like to see the contractor address the anomalies related to our previous deaccessioning of human remains. This is addressed in the CMP. She feels it would be good to have someone review all the paperwork and check out potential repositories for the deaccessioned items, to potentially locate records of receiving. *She would rev. specs. if we would like --*

Carolyn requested that we let her know as soon as possible how the balance of the COC funds will be expended this year. We should be sure to use this money toward remedying deficiencies identified in the checklist.

cc. Mardi

Conversation with Tom Munson, 11/17/97

Subject: 1990 deaccession

Tom felt strongly that all items in the collection positively identified as human bones were conveyed to the state for repatriation.

He mentioned some fragments of material which were previously identified by Mark Lynott as possibly, but not definitely, human remains. Shirley Shirmer did not take these; she could not positively identify the materials. Tom feels it was fruitless to try to identify these items if an extremely careful forensic anthropologist could not.

Apparently the materials went to MWAC; however, the archeological center sent them back. Tom did not want to accept these materials, but apparently he had no choice. They were sent back. Tom indicated that there was very little point in our trying to pursue this. We aren't going to find anything.

As I understood what Tom was telling me, the items were deaccessioned in 1990. The materials were stored in a box in a locker in the maintenance area. He said the locker was moved outside and eventually junked -- and the box probably went out with it.

klm

Conversation with Tom Munson - 11/18/97

Subject: EFMO collections management

In the late 1960s, the EFMO collections needed major work. There was no proper storage--collections laid out on tables, in various boxes, documentation "a mess." Much material--Tom believes most, if not all, of the human remains--was from salvage archeology--highway construction in the area, etc. Little or no provenance.

John Cook sent an archeologist from SWRO to EFMO on the condition that he straighten himself out and salvage his career by getting the EFMO collections in order. [This individual had a major drinking problem; fine when sober--but did binges and went on destructive rampages against authority, damaged property, etc.] The archeologist did some work here, but went on a tear and threw some of the EFMO archeological materials into the woods.

For a while, a Smithsonian archeologist working on the Bertrand was detailed to EFMO to work on the collections, but he found the scale of the task to be beyond the funding available to him. Finally the collection was sent to MWAC, where Dale Henning, then at the University of Nebraska, undertook to organize and register the collection. Tom estimates that Dale got about 1/3 of the job done with the resources available to him.

Tom felt strongly that if the collections were not under the physical control of the park superintendent, he was not accountable. Washington disagreed. Tom Thiessen agreed with him and was prepared to remove questionable items from the collection. Tom Munson said that if he was accountable, the human remains would have to be repatriated. The prevailing MWAC view, however, was that the bones were of considerable scientific interest and should remain in the collection.

Most of the collection was sent back to the park. The human remains at MWAC are from salvage archeology--EFMO should not be accountable for them.

Tom feels the history of collection management at EFMO has left gaps in the record that never can be resolved. It is a good idea to recognize the dead ends for what they are and move on.

Note 1: Funds used to hire Chris Harman were given to the park for a museum tech. Don W. elected to hire a protection ranger, as he no longer wanted those responsibilities--redefining his identity, apparently, as an "interpreter at heart."

Note 2: John Staeck is hyped on Red House Landing as a "rich stew" of many periods. He feels the FTD site runs for about three miles up into Red House Landing.

Tom says, however, that the woman who used to live in the South Unit told him that there is an old logging road that ran behind the Three Mound group along the end of the pond

to an area where cattle were herded and slaughtered. Tom has seen the stone water impoundment at the base of a ravine coming down from Fire Point which may have been in the alleged cattle containment area. There is an argument that many of the bones found in these sites are from cattle, not humans. Tom has seen a picture--but because at that time the area had been completely logged over and was denuded of trees, he had a hard time recognizing the geography.

klm

Author: EFMO Superintendent ((b) (6), (b) (7)(C)) at np-efmo  
Date: 8/19/97 2:01 PM  
Priority: Normal  
TO: Kate Miller  
Subject: Thoughts on NAGPRA

----- Message Contents -----

Kate -

As promised, below are a couple of my thoughts on NAGPRA issues at EFMO. I hope you will find the information useful.

Based on available documentation and expert opinion, the human remains and summary objects listed under NAGPRA for EFMO are assumed to be prehistoric. However, this is not certain.

At some point, to better establish cultural affiliation, it might be helpful to have a thorough evaluation of the archeological designations of Oneota, Woodland, and Effigy Mounds Cultures conducted, in an attempt to trace contemporary Tribes to the above cultural origins. This task would take considerable time and money and would probably have to be contracted out to accomplish. This task would be a fairly major research undertaking.

The prior Superintendent consulted with the Sauk and Fox and Winnebago for obvious prehistoric/historic connections. However, some of the summary objects have a probable archeological designation listed as Oneota complex. The Oneota complex can be associated with the ancestors of several historic groups, among them the Chiwere-speaking Sioux and the Winnebago of Wisconsin (Thames and Hudson 1995). It would be important to identify who the Chiwere-speaking Sioux were, and if descendants are still living today.

Because you stated during our telephone conversation of July 24, 1997, that you would welcome assistance with NAGPRA consultation, from the Cultural Anthropology Program of the Midwest Region, I would like to suggest that you request our assistance in writing. The Cultural Anthropology Program consists of Senior Cultural Anthropologist Mike Evans, and myself. We're not sure what your needs will be and when assistance might be needed. As we further develop our FY98 work plans, which are already quite hectic, I hope to hear from you.

I look forward to working with you!

Michelle

cc:  
Craig Kenkel  
F.A. Calabrese  
Mike Evans

~~NA~~ PRN Summary:

Review collection & changes to draft summary made by Tom  
(b) (6), (b) (7)(C) not comfortable with changes

1 Week map

Entire catalog on computer

ANCS & D. Bennett

2 Board of Surveys

1986 — HR went to Office of State Archaeologist & Shirley Schermer  
- Review

1990 — HR left in collection deaccessioned  
- B o S report

MWA@ - has bundle burial + a few bone fragments.

↳ collected off park land, but in museum exhibit until removed  
in late 1980s



OCT 5 1998

PROMOTING THE EDUCATIONAL AND RESEARCH  
ACTIVITIES OF THE ILLINOIS STATE MUSEUM

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September 30, 1998

Ms. Kate L. Miller, Supt.  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

Subject: Contract, RFQ6290-7-0004

Dear Kate:

It is with great pleasure that I am sending under separate cover the required copies for two reports, entitled *Recommendations to NAGPRA Summary and NAGPRA Inventory, Effigy Mounds National Monument*, and *Accession History and Status of Accessioned Materials and 1986 & 1990 Deaccessioned Items and Objects*. For each report, we are enclosing one camera-ready, reproducible (unbound) original and seven bound paper copies. The *Recommendations ...* volume has the original photographs in the unbound copy. Unless you have other instructions, we will curate the strip prints and negatives here at the Illinois State Museum. Enclosed is a disk with both reports in electronic form; the text is in Word Perfect 7.0; the tables are in Microsoft Excel 6.0. I hope Word Perfect will serve your electronic needs; my attempts to convert to Microsoft Word have consistently resulted in fragmentation and frustration. If Microsoft Word requirement is an absolute, I can consult up the hall.

This project has been a learning experience for me, perhaps for all of us. But, it has also been a great pleasure to work with and ponder the collections, to re-acquaint myself with Effigy Mounds National Monument and to work with you and your staff. You have been patient and kind through it all, for which I sincerely thank you. I hope we can work together again soon.

Sincerely,

Dale R. Henning, Director  
Archeological Services

cc: Charlotte A. Montgoinery, CPA  
Administrator

OCT 5 1998



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September 30, 1998

Ms. Kathleen L. Miller, Superintendent  
Effigy Mounds National Monument  
151 Hwy 76  
Harpers Ferry, Iowa 52146

Subject: Contract, RFQ6290-7-0004

Dear Kate:

A new disk to replace the one sent two days ago is enclosed. We noted an error in Report 1 that was fixed before it was assembled. The cover letter and disk had left prior to our noting the problem. I am sorry for any inconvenience this may cause.

A box of reports has left and should be on your doorstep in a few days. I am delighted that it is done.

Sincerely,

Dale R. Henning, Director  
Archeological Services





## United States Department of the Interior

NATIONAL PARK SERVICE  
Effigy Mounds National Monument  
151 HWY 76  
Harpers Ferry, Iowa 52146

IN REPLY REFER TO:

February 21, 2012

H20

### Memorandum

To: Central Files

From: Superintendent, Effigy Mounds National Monument

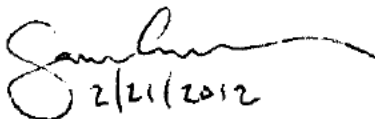
Subject: Temporary relocation of accession folders February 16-17, 2012

On February 16, 2012, I retrieved all of the park's accession folders from their storage location in the collections area and brought them to Building 161 – the Superintendent's Building. The folders were counted by both myself and (b) (6), (b) (7)(C) prior to moving them, and we both agreed there were a total of 173 at the time. At the same time, I also retrieved and relocated the accession book. Prior to doing any of this, I consulted with Keely Rennie-Tucker at MWR. Keely informed me that while unusual and not standard practice, this action violated no policies or laws, provided the materials were stored in a secure fire-proof container in the Superintendent's Building, which was done.

The purpose of this exercise was to quickly go through the folders to see if there was any correspondence or other records relevant to the missing human remains issue which is currently under investigation. Relevant documents would be quickly and efficiently scanned prior to being placed back in the folders. The contents, structure, and order of documents in each folder was meticulously preserved. The accession book was reviewed for the same reason, but was also brought up here so its contents could be completely scanned for back up purposes.

The entire exercise was completed by myself shortly after noon on February 17, and all 173 folders and the accession book were returned to their proper location in the collections storage area at that time, following another careful count.

Keely requested that a note to the files be prepared to permanently document this action, and that a copy be placed in the accession book. This memo serves that purpose.

  
2/21/2012

Tuesday, April 23

Carolyn,

Michelle Watson provided a copy of her draft memo on EFMO NAGPRA issues to me today for review. Presumably, this was the second draft of the memo after incorporation of comments provided yesterday by you, Jeff, and perhaps, Tom. In any event, as Michelle and I discussed my comments on the memo this afternoon, an idea occurred to me. Perhaps you could use the concept of "teamwork" to sell Craig and Andy on the idea of focusing a possible Curatorial Assistance effort on resolution of EFMO's outstanding NAGPRA issues. In this particular case, the project would involve cooperation between the curatorial and ethnographic programs of the SSO to assist a park in resolution of a fairly pressing matter.

You may ultimately decide that you would rather stick with the original exhibit inventory project, or not pursue a curatorial project there at this time because of the lack of funding. That is, of course, your call. However, I do know that Andy approved of the team approach that we used for the Fort Larned blockhouse project, which involved a collaborative effort by an archeologist, an historical architect, and an historian.

Don't mean to meddle. Just wanted to share this thought.

*Jim*

Author: Michelle Watson at NP-MWAC  
Date: 4/24/96 11:53 AM  
Priority: Normal  
Receipt Requested  
TO: Cal Calabrese at NP-MWRO  
Subject: Re: EFMO Issue

Cal, this is the second of the replies from Mike regarding the EFMO issue I have sent you previous messages on. Please note in his previous reply that he states he is NAGPRA Coordinator and I should not send this memo out. I would like the opportunity to discuss this with you in person if you have time on Thursday, and again, I plan to be in Omaha on Friday. Do you have time to meet? I've already sent a message to Andy and asked if he had time to visit. Again, don't let Andy know I've corresponded with you about this. Let's see how he responds to my request to meet with him on Friday.

Michelle,

After going over your proposed memo numerous times, I am convinced that it should not be sent out in its present form. Several things about it strike me as odd or incorrect. First, the format strikes me as accusatory, which is probably not a good thing to do to a superintendent. Second, you use extensive quotes, and even a citation, but it's not clear why you are doing so. Has someone questioned you on what has been done? Is this a defensive posture or just a way of letting people know what has transpired without them getting copies of the original correspondence? My reaction, even after reading it several times was that it was defensive, but maybe I just misunderstand where this is coming from. Third, on page 2 in regards to your statement that only portions of the collections were deaccessioned, I want to remind you that you and I discussed how this could actually occur. NPS museum collections often are not accessioned until lots of stuff has come in. Then everything gets accessioned at one time, with one accession number. It is entirely possible that there were catalog numbers for items that were \*not\* NAGPRA-related included in these accessions, hence accounting for what you describe as "broken sequences."

As for your questions...

#1 "Where are these deaccessioned materials?" -- Unless you suspect that they were listed as deaccessioned by the park in its museum collections records, but never actually left the park collection, or they went to MWAC and MWAC doesn't know where they are, then it doesn't matter where they are. Until someone can get physical access to the EFMO collection and see for themselves, we have to assume they are not at the park.

#2 I dealt with this above. It is entirely possible that both NAGPRA-related and nonNAGPRA related items were mixed in one accession. Happens all the time. I've seen it in park museum records in the Southeast, the southwest, Rocky Mountain, and western region. It's not the best record keeping, but some of these accessions date back a lot of years, and a lot of museum collections management was (and is) done as collateral duty. I've even seen collections managed by temporary summer help.

#3 I think this is related to #2.

#4 I don't know why you would expect to know where deaccessioned material have gone. I don't understand the point or why we are making an issue of this.

Again, I recommend that you do not send this memo in it's present form to the superintendent.

Mike

---

Subject: EFMO Issue  
Author: Michelle Watson  
Date: 4/23/96 4:22 PM

Attached is a WP5.1 DOS file named EFMO.96. I plan to officially cc:Mail this memorandum to Superintendent, EFMO, this week. It is regarding an issue which was raised during January/February 1996. If you have any questions give me a call.

Author: Michelle Watson at NP-MWAC  
Date: 4/24/96 11:51 AM  
Priority: Normal  
Receipt Requested  
TO: Cal Calabrese at NP-MWRO  
Subject: Re: EFMO Issue

Cal, I need to privately discuss this issue with you when you return on Thursday evening. This is the first of Mikes response to the draft memorandum I praped to be sent to Superintendent Karen Gustin. I will forward you a copy of that memorandum. I plan to be in Omaha on Friday hoping to visit with Andy, meet Craig, and discuss further with you regarding the way the program will be carried out and etc. Please do not let Andy I've sent you this. I hope that you, Andy, I, and Craig can sit together to discuss the issues, and maybe even Mark L.

Michelle,

I am still confused as to why we are pursuing this. For starters, is the collection still boxed up? It was my understanding that the collection was stored in another location until a new collections area was constructed. Ultimately, I'm not sure there is an answer to the question of whether human remains are still in the collection without someone physically going through and looking. Two, if the collection records say the remains were deaccessioned, then why would you expect to find any information on their location? Deaccessioned means they're not in the collection. Do you suspect that these items were listed as deaccessioned but still remain at the park? That's a fairly serious statement, so maybe I misunderstood.

It looks like everyone has pretty much exhausted the information that is "readily available" (these words are from the statute) in the collection documentation, and without opening up boxes and looking at the items, I'm not sure anything else will be forthcoming.

Can we give this a rest until the collection is moved and unpacked and then send in a tiger team to look at the collection items?

As NAGPRA coordinator, I suggest you hold off sending this memo out until we talk about it.

Mike

---

Subject: EFMO Issue  
Author: Michelle Watson  
Date: 4/23/96 4:22 PM

Attached is a WP5.1 DOS file named EFMO.96. I plan to officially cc:Mail this memorandum to Superintendent, EFMO, this week. It is regarding an issue which was raised during January/February 1996. If you have any questions give me a call.

Author: Michelle Watson at NP-MWAC  
Date: 8/14/96 10:10 AM  
Priority: Normal  
Receipt Requested  
TO: Cal Calabrese at NP-MWRO  
Subject: thoughts on our afternoon conversation

Cal,

Mike wrote this note before yesterday's meetings. However, and regardless, while this note may seem "somewhat" kinder toward me, his actions and lack of support for me yesterday during meetings cannot be overlooked. Not only is he overlooking me, but Andy as well. See the last paragraph below that Mike wrote. Throw this away after you've read it. Sorry for my actions this morning, but I'm still affected by yesterday; sometimes I just don't look forward to going into work at all!!!!!!

Forward Header

Subject: thoughts on our afternoon conversation  
Author: Michael J Evans at NP-MISS  
Date: 8/12/96 10:31 PM

8/12/96

Michelle,

After giving our afternoon conversation some thought, I've decided to step back. Perhaps you're right and I'm the one at fault here. We'll see. Be that as it may, I disagree with your premise from this afternoon that we are "equals." In a human, person-to-person sense, sure, but that's not relevant to the topic. In a job sense, no, I do not believe we are equals. Just as I recognize that Tom is a better historian, or a host of others are better at archeology than I, we should recognize that in virtually all aspects of cultural anthropology I have the advantage afforded by more years of academic training, more years of on-the-ground research experience, and more exposure to the vagaries of federal and corporate bureaucracies than you. I've worked too hard for too long, making too many choices and sacrifices along the way, to sit back and agree that all of my work and effort is negated by the simple bureaucratic act of someone being appointed to a position. I'm sure that in twenty years, you will feel the same way. In hindsight, agreeing to the same title of "Anthropologist" was probably a mistake on my part. All of the other field areas use both "ethnographer" (i.e. anthropologist) and "senior ethnographer" when there is more than one in an office. I have always been under the impression, since last October, that I was going to fill the reorganized equivalent of "regional ethnographer," and I should have made that point clear before coming out. Just goes to show, you can learn something new everyday.

My reaction of last week is connected to my concern about the lack of credibility of the applied anthropology program, both in the MWFA, and servicewide. In our discipline, credibility is gained through academic credentials, research experience, publication, and teaching. Loading up in one area can sometimes compensate for a relatively low output in another. For example, all of my project work, project reports, and publications tend to offset my lack of extensive classroom teaching experience in the evaluation for a university applied anthropology position. I'm not bragging, this is simply a fact that I have purposely tested twice in the last seven years. We have to deal with other anthropologists, both inside and outside of the NPS, and these anthropologists generally use similar criteria for evaluating credibility (although a wild card is membership in the group under study).

In the NPS, outside of our discipline, the servicewide ethnography program does not have much credibility, and so far, that has hurt us in budget decisions. Take a look at Rowland Bower's memo on FY97 CRPP funding, and you will be hard-pressed to see where the various ethnography programs in the five field areas fit in. This is one of the reasons I am especially concerned with the JEFF project, as well as the other two projects Hughes is doing. While the JEFF project is ostensibly for the park, the project was substantially written and sponsored by the ethnography program. Even though everyone has the occasional project go "bad," I will never readily dismiss one as the "breaks of the game." The ethnography program is the manager for these projects, and it benefits the program to make sure they go well, even if that means standing up and telling a contractor what to do on occasion.

I would like us to start systematically working on increasing our credibility. In the meantime, I suggest you concentrate on your research tasks, and the consultation at HOSP. These are tasks that can lead to positive credibility for the program, when viewed by the parks. I will be doing likewise with the projects I have on the schedule, in addition to dealing with the broader program and NPS American Indian issues, such as the sacred site access thing John Cook, Jerry Rogers, and Pat Parker are cooking up.

Also, please concentrate a little more on your writing style in e-mail. I am not

alone in "misinterpreting" what you have said in the past, and I did not misinterpret your recent e-mail regarding NIMI's Section 106 ethnography advisor. I have here attached Tom's reply to the request for information from NIMI, and you can clearly see in the second paragraph that Tom is referring to the ethnography advisor for Section 106, not the GPSO ethnography point-of-contact. While you are correct in saying the park can pick anyone they want, they still have to pick a person that meets the basic qualifications as spelled out in the OMB rules. The MWFA has suggested additional qualifications to the park as well. Otherwise, a park could pick someone off the street. One of the reasons the Advisory Council was willing to redo the PA with the NPS was the addition of this requirement of parks picking qualified advisors if the park did not have them on staff, so it is to our ultimate advantage to make sure the program provides advisors that meet those qualifications (as well as giving good advice, of course).

I would fully expect archeologists to complain equally loudly if I started sending messages to parks saying I was qualified to advise them on their archeology, or historic architecture, so please, let's watch what we say to parks.

For your information, Cal's second memo to the field (through Schenk) about our positions has confused more people than the first one did. I have received seven calls, and two from different WASO offices, asking me what it meant. One person even thought it meant I was leaving for somewhere else. I couldn't tell if they were disappointed to find out I wasn't going anywhere. Even I didn't understand it.

# DRAFT

May 07, 1996

A26(GPSO)-CR

Memorandum

To: Team Manager, Stewardship and Partnership, Great Plains Systems Support Office (GPSO)

From: Cultural Anthropologist, GPSO

Subject: Meetings in St. Paul, Minnesota, April 29-30, and NAGPRA Training in Minneapolis, Minnesota, May 2-4, 1996.

On April 29 I flew to Minneapolis, Minnesota to meet with Team Manager, Stewardship and Partnership, GPSO, and Dr. Michael J. Evans, Cultural Anthropologist, GPSO. Our meetings began circa 2:00 PM that day and ended circa 5:30. Below is an outline of topics discussed and concerns which were raised as a result of these meetings:

- 1) CR Report - Team Manager stated he would like to see both Evans and myself submit to this bi-weekly report which is coordinated through Mr. Craig Kenkel.
- 2) Team Meetings - Team Manager stated that Evans and myself should attend these meetings in Omaha at lease once a month.
- 3) EFMO Issue - It was stated that I should not have been involved in this matter for any reason, even if I was asked for assistance from Superintendent Karen Gustin. Coordinating with the Team Manager, this issue will be turned over to Collections to handle. I've sent a message to the Team Manager inquiring who this should be turned-over to.
- 4) Arkansas Parks Visits - It was stated that we will not travel to Parks unless there is an ethnographic/NAGPRA program "reason" to do so. While these visits would have allowed for the implementation of the "team approach," would have allowed for the opportunity to view park resources/collections, and would have allowed for the develop of PR with these new parks, it was not viewed as an activity I should engage in. It was stated that it was not economically feasible and that my time should be spent preparing only for the PERI study.

Discussions/Decisions about some Opportunities and/or Training:

- 1) Impress Card Training - Team Manager stated this training would be offered in Omaha, NE sometime in the near future and that I will be invited to receive this training.
- 2) Windows Training - This coming June, a windows training seminar will be offered in Lincoln, NE. Team Manager has approved this.
- 3) Section 106 Training - Team Manager agreed I should receive this training.
- 4) Team Approach Training - Team Manager stated this would be offered this summer.

Some of my Present Concerns:

- 1) Possible Misconception - There seemed to be much confusion during these meetings with regard to the distinctions between training, opportunities in the field, educational opportunities, mentoring, and etc. It was stated that if training (both in the field and in the academic institutions) and mentoring opportunities were part of my program goals, then I should look to and focus on further educational opportunities outside of NPS for this, not within the program/NPS.
- 2) Opportunities/Duties/Responsibilities - Evans was named Program Lead for all Ethnographic and NAGPRA concerns in the MWFA, without regard for my prior responsibilities and present capabilities. It was stated that "not all of us" could be involved in the Ethnographic and NAGPRA issues in the MWFA. I'm not sure what was meant by this statement.

It was also stated that as the Program Lead was invited by parks to visit for meetings, etc., that these parks would often be offended by my accompanying the Program Lead to the field, implying that if two GPSO people showed-up in the park it would not necessarily be a good thing. It was stated that if a Superintendent was "shy" about having more than one person from the SSO present at meetings then he will be the only participant, regardless of my position. Along with this was an expressed lack of interest in moving toward preparing for two positions in the MWFA, one in each of the clusters, and that this may in fact be an unreachable goal at present.

In addition, it was stated that until I have an idea of many projects, how they are conducted, etc., there is no need to participate in any meetings, even as an observer. Even if these are routine Park meetings, I was not to be involved.



The Team Manager stated that there is some utility in getting me there and the Program Lead stated this could be worked out but that he sees such activities/meetings as a "Program Responsibility," and that projects should take precedence in my efforts.

The Program Lead will apparently lead/conduct/implement and serve as POC for all activities with regard to a) CMT meetings and coordination, b) publication series projects, c) social science program contact, d) NAGPRA contact, e) ethnography contact, f) 106 compliance, g) Indian Liaison contact, h) Tribal Historic Preservation Grants Program contact, i) lead on American Indian policy and politics, j) all park visits and meetings, etc.

The Program Lead has been identified as point of contact (POC) for all program responsibilities/activities/duties for the MWFA. I explained that designating me as POC for some program responsibilities would be one way to effectively implement the program, share duties and to work toward the future goal of two offices in the MWFA. The response was that a) I was not yet qualified due to a lack of field work experience in ethnographic research, lack of general experience, lack of a Ph.D standing, lack of work with American Indian Tribes, etc. (note: while I look forward to further experience, opportunities and training in these areas should I be stripped of all prior responsibilities and present capabilities), b) the MWFA should have one POC, that having two would be confusing for Parks, Tribes, etc., and c) one person should serve as the POC or central warehouse of information in the MWFA regarding the program and all that it entails. It was also stated that having two POC's would create a lack of information sharing and general confusion. It was stated that by allowing me to serve as POC means taking responsibility for my actions and that I wasn't prepared for such responsibility and that I should be shielded by the Program Lead from "falling on my face," or "allowing the program to fall in its face." Needless to say, I did not agree.

Also, Evans wants me to pass everything (all issues/inquiries) on to him, even inquiries made by Midwest Archeological Center (MWAC) staff.

Additionally, while I explained that both Evans and myself were already listed on the GPSO ghost buster list as separate POC's, it was stated that certain ways of operating and implementing the program from the recent past need to be changed. This seems to undermine the philosophy and implementation of two Systems Offices, each having an Ethnography/NAGPRA Program position.

It was also asked of me what serving as POC for certain program responsibilities and activities would gain? I responded that by serving as POC for both NAGPRA and/or Ethnography in the GPSO for example, would keep me directly involved in numerous activities and issues while further developing the skills to become a full-performance cultural anthropologist for the NPS. The general point of view was that designating me as POC for any activities in the MWFA, NPS, should not be a consideration and that while I express the energy and desire to more fully participate in the program, I should really only focus on research at this time.

It was my impression that it is firmly believed by some team players that an individual with an MA education is not capable of taking the lead on ethnographic projects (which are contracted out), other program matters, and POC responsibilities unless that individual has many, many years of field experience.

My outlined responsibilities at present are simple. I continue to serve as COR on the JEFF and AGFO/SCBL studies, and take the lead on the study at PERI, all in direct coordination with the Program Lead.

3) EDP/Training/Field Opportunities - It was stated that the core of the program was to focus on program projects, not training or opportunities in the field; this was to be viewed as not high on program priorities. It was stated that by conducting field work I would gain the necessary experiences for learning about issues and that NPS training should not be regarded as essential.

Team Manager briefly viewed my EDP and stated he and I, in coordination with Evans, need to evaluate which opportunities for training and advancement should be considered as top priority and which should/may be considered for the future. There was a lack of knowledge with regard to prior educational opportunities and support I and other NPS employees have been given in the MWFA and throughout the NPS. I am concerned about how the EDP, in addition to unidentified opportunities in the field and training in NPS policy/management, ethnographic research, and the implementation of the NAGPRA and Ethnography Program, will be further developed and effectively implemented.

4) Performance Appraisals and PD's - Team Manager will coordinate with Evans and myself to finalize these soon. Evans has submitted to the Team Manager dated copies of the PD's which he received from Mr. Thiessen of MWAC. These should be thoroughly evaluated. The PD's should clearly outline relationships, responsibilities, duties, opportunities for training/mentoring in the field and elsewhere, etc. All known future goals for the programs implementation within the MWFA should be clearly stated.

These meetings closed circa 2:00 on Tuesday, April 30.

On Wednesday I visited the Minnesota History Center in St. Paul and collected some information I was seeking in an old publication. Some time was spent on cc:Mail as well and telephone calls were made. That afternoon I arrived at my hotel in downtown Minneapolis. May 2-4 I attended the NAGPRA training offered through the University of Reno, Nevada. I flew back to Lincoln on May 4.

Michelle L. Watson

Cleared for distribution:

\_\_\_\_\_ DATE \_\_\_\_\_  
Team Manager, Stewardship and Partnership, GPSO

cc:

Mr. Martin Sterkel, Team Manager, Stewardship and Partnership,      Great Lakes Systems  
Support Office  
Dr. Michael J. Evans, MISS



May 14, 1996

To: Superintendent, Great Plains Support Office, Cal Calabrese

From: Anthropologist, Great Plains Support Office, Michael J. Evans

Subject: Meeting notes, April 29-30, 1996

In response to your request that I send you my perceptions of the meeting with Andy Ketterson and Michelle Watson on April 29-30, I pulled together the following text.

Andy outlined the general areas he wanted to touch on during our meeting. These were: performance standards (new), procurement, roles, NAGPRA, and funding.

Performance standards: Andy said he was working on the new performance standards requirements and would get back to us on that.

*WASO 4/29/96*

Procurement: Andy said that my IMPAC card had been held up by contracting(?), for some unexplained reason, but that he had straightened it out and I should receive it shortly. He set the limits to be the same as his and other program managers, i.e., \$2500 per purchase and per month. He also said he had given me the authority to sign DI-1s up to a limit of \$10,000, which was the same as he and other program managers had.

Funding: We only briefly touched on funding. Michelle and I told Andy what projects were ongoing, which ones were newly funded by WASO this fiscal year, and which ones we were going to do in-house. I also told Andy that Chas Cartwright had requested information from me to include in the Great Plains consolidated budget call, which I sent him and is in the current draft.

*WASO 4/29/96  
PER 2/10/96*

The bulk of the day and a half meeting was spent on roles. Andy asked each of us to tell him our understanding of what the roles were to be, to give us all a starting point for the discussion. Michelle's understanding boiled down to three things: a) she was supposed to get training to do her job of anthropologist and the tasks assigned to her position; b) the reorganization plan stipulated that each cluster SSO would have its own anthropologist by 1999; c) she wanted to be on her own, with her own program in the Great Plains.

*SAF ID  
AK 4/29/96*

*1996/97*

I said that it was my understanding that I would be administratively attached to the Great Plains SSO, but would work for the MWFA--in effect, my role is to be the MWFA cultural anthropologist. It was my understanding that I was to be the program lead/manager of the

*PROGRAM  
LEAD*

*PROGRAM LEAD: DEVELOPING IMPACTS... FOR DISTRICT... TEAM*

ethnography/cultural anthropology program for the MWFA, and take on NAGPRA-related responsibilities, and that Michelle would both work in that program and help me on specific tasks and projects. I also said that I had thought about asking to be the field area Indian liaison. I said that I had been contacted by several parks in the capacity of "Indian liaison" and that particular designation needed to be addressed.

SI 11/17  
JP  
FR/10/03,  
NAGPRA  
LEADER  
CJ/10/03

In February, Michelle and I had discussed the issue of NAGPRA coordinator, and she stated then that she wanted to remain as the designated person. I decided at that time to wait and see. I told Andy and Michelle in our meeting that I had come to the conclusion in the subsequent three months that I needed to take a more direct and leading role in NAGPRA affairs. This conclusion was the result of several incidents where I thought Michelle had either given incomplete advice, wrong advice, or advice that was causing more "pain" to parks than necessary. Examples include FOUS (no consultation, didn't know they were supposed to do more than send a letter), AGFO (park experiencing confusion about procedure, and what is more important, no consultation), SCBL (no consultation), ISRO (said they did not know they needed to do consultation on human remains). In addition, it was my feeling that Michelle had exhausted our role in the EFMO collection issue. I was particularly bothered by the draft of a memo she announced she was going to send to the park, on her own, in which there were several unclear statements regarding what had or had not been deaccessioned and whether the park really had done the deaccessioning. I saw it as a collection management problem, not a NAGPRA problem, and recommended that the whole thing be passed to Carolyn Wallingford to work out with the park collection manager (who came onboard recently).

REVISIT  
JUST TO  
EFMO  
THAT'S ALL

I told Andy and Michelle that since arriving in February and going through the copies of files that Michelle and Tom had sent up, I now had a more thorough understanding of what had been accomplished, then I did in February. As an example, I told them that in February, Tom Thiessen had turned over his projects to me, no questions asked (except for the NIMI report, which is in its final stages). This included the change of COTR on two projects. At that time, Michelle said she wanted to stay as COTR and I agreed, because at the time, I had no information about the projects. But, I told Michelle that I wanted to know everything she knew about them, and to in effect, "look over her shoulder." She agreed. Now, however, I find that a major contract stipulation was deleted, at the request of the contractor and after the award. This deletion had to do with getting tribal concurrence for any contacts with tribal members. The contractor did not want to do this and asked that it be deleted. This is a problem and I told Andy and Michelle that Michelle's response was "Tom agreed to it." My immediate response was Tom was not the COTR, Michelle is. It's her responsibility, she cannot lay it off on someone else. She was the one present at the meeting between the park and the contractor when this idea was voiced. I stated that having the authority also meant we had to take the responsibility for the results.

Michelle objected to me being the point-of-contact for section 106 stuff, and for Pat Tiller's Native American Tribal grants/historic preservation stuff. She wanted to know how one person could be all these points-of-contact, and be the NAGPRA POC, and the ethnography POC, and the consultation POC, etc. Andy said that in his view, these "tasks" were not excessive and were

11/17  
P. 10/03

DONE  
RECALL  
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WHEN  
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G?

in line with, and no more than, what was expected of and being conducted by other program leads.

Under pressure from Michelle I finally stated that in my opinion, she did not yet have the experience to be on her own. That she was trying to be COTR on projects, when she had never carried out any projects on her own. I said that part of my long-term strategy was to get her that experience by having her conduct projects, such as the PERI over view and assessment. Michelle stated that she was afraid that if she spent half her time on a project she would be left out, or miss out, on all the other things going on. I said that she cannot be involved in everything, and should not expect to, because there was simply too much going on. I stated, as an example, that she seemed to be having a hard time prioritizing her activities. I had asked her to send me a two-page broad-stroke outline for the PERI overview and assessment back in February. At the time, she said she could have it to me in a couple of days, and I told her to take a week. Time passes, I had not seen the outline, so I contacted her about it. Her response was that I would get it when she had it done. As of the time of the meeting with Andy, I still had not seen anything on this project, let alone a two-page outline. I told Andy and Michelle that I thought this task had been continually "bumped" in Michelle's priority list because of her desire to be part of everything.

Michelle was obviously becoming angry and wanted to know how long I had been with the NPS, an obvious allusion to the fact that she was in her third (?) year and I had only been part of the NPS for two, as if that made her more qualified. I said that she knew exactly how long I had been with the NPS, but that she was forgetting that I came to the NPS with 20 years of documented experience in applied anthropology, including experience doing the type of projects we were now managing for the NPS as COTRs.

Michelle again brought up the idea that by 1999 there is supposed to be one anthropologist in each SSO. I told her and Andy that was fine, but we were not there yet. That in three years, if she conducted projects, and got more experience, then she would be better able to take on the responsibility of having her own program. But we're not there yet.

Andy concluded the meeting by stating that he thought I was the program lead/manager and that had been explained in the memo from the field director. As for NAGPRA, he suggested that we rely on the considerable "expertise" I had with the issue. The question of whether I or Michelle should be the NAGPRA coordinator was left unresolved. At the time of the meeting, I stated I thought I should be designated as the NAGPRA contact for the field area.

Michelle was supposed to come by the office on Wednesday--she did not show up, nor did she call. She stayed for the NAGPRA workshop that was being held that Thursday-Saturday. (This was a repeat of a workshop Michelle attended with Tom Thiessen some time ago.)

After Michelle and Andy left our meeting, I mentally reviewed the event for several days. My conclusion was that Michelle was extremely unhappy. I concluded that she had been under the impression that she would have her own program and that it would be in the Great Plains. I

concluded that she had not considered the idea that if someone was hired as a new program lead, that meant she was not the program lead and that some things might change. I concluded that Michelle thought that the mere fact of being placed in a position gave her equivalent credentials of others in similar positions. I concluded that she was frustrated by her perception that no one was taking her seriously, and that she thought she should be taken seriously because of the position she occupies. Michelle did not object (during the meeting) to the long-term plan I briefly outlined. She apparently objects to the idea that she can't do everything.

Since our meeting, Michelle has become uncommunicative and distant. While she did send me a draft PERI project outline last week, that has been the only item we have communicated about since the meeting. I sent her comments and suggested revisions on her proposed memo to EFMO regarding the museum collection. Her response was to tell me to send it to Andy since she was not going to spend any more time on it. I find this response surprising since the memo was her idea, and her's alone. Obviously she feels her "authority" to send such a memo was usurped during our meeting with Andy.

This text has obviously been written several days after the meeting and reflect my own consideration of the event as much (or more than) the actual event itself. Nevertheless, this is the reality within which I now work. I suggest that several issues need to be resolved as soon as possible. I do not see how Michelle can be given her own program in the Great Plains, given the fact of my position. The field director's memo to park superintendents announcing my arrival was reviewed by everyone involved before being sent out. That memo states that I am the Cultural Anthropologist for the MWFA, will lead the cultural anthropology (ethnography) program for the MWFA, will lead the NAGPRA responsibilities for the MWFA, and that I will be assisted by Michelle Watson in carrying out those responsibilities. If the ethnography/cultural anthropology program is to be run as a "mini-team" (which I do not object to) inside the cultural resources team, then it should be made clear to all concerned that every team has an overall leader, although individual projects may have their own "PI."

LWNA COSRA



DRAFT DRAFT

To: Supertintendent, Great Plains SSO

From: Manager, Stewardship and Partnerships Team

Subject: Trip report, St. Paul, April 29 and 30

Purpose: To meet with cultural anthropologists Dr. Mike Evans and Michelle Watson to discuss program projects, responsibilities, and procedures.

Discussion: Michelle Watson and I traveled to St. Paul and met with Mike Evans in the offices of MISS, Mike's duty station. Topics we discussed included:

- Roles/Responsibilities
- NAGPRA
- NAGPRA and Section 106
- American Indian liaison and liaison with tribal historic preservation programs
- Project responsibilities
- "Marketing" the cultural anthropology program

There is a lack of clarity on the roles and responsibilities of Mike and Michelle. This seems to be because, primarily, these things have not been spelled out. The geographical separation (i.e., Michelle is in Lincoln and Mike is in St. Paul), and the facts Mike is new to the field area, Michelle and Mike have not worked together before, they have spent little time together, and Michelle has worked in the cultural anthropology program in the field area for a few years and has been working with a methodology that Mike sees as needing revision are all factors contributing to a somewhat uneasy relationship and role/responsibility confusion. 7

A further factor in this situation is Mike had not received a copy of his approved position description. He had received 2 drafts, neither of which are the same as his approved PD. At the time of our discussions, I had only the vaguest recollection (even though I had signed it!) of the existence of the approved PD. Upon return to Omaha, I tracked it down and sent a copy to Mike. I also read it closely. This PD, originally written about 2 years ago, clearly spells out broad program leadership and management responsibilities. The positions Mike has taken on a number of program issues are consistent with the responsibilities spelled out in his PD. I have not read Michelle's position description to see the responsibilities it spells out and if there are conflicts between her PD and Mike's. [REVISION PD'S]

Having written all of the above, the key issue is communications. To work on this issue and to discuss issues, project progress, and other program matters, I have asked Michelle and Mike to come to Omaha once a month. This will allow us to keep current on program matters and afford Mike with the opportunity to reasonably frequent contact with MWAC.

There are a variety of issues related to NAGPRA. As the program leader, Mike believes all information and issues should be through him. Michelle, at some point, was designated by someone as the NAGPRA point of contact for the Great Plains cluster and feels pretty strongly this should continue. Mike, as program leader, feels this is inappropriate. My sense is Mike needs to assess Michelle's capability in this area before continuing her designation as GP NAGPRA contact. All concerned recognize we are pointing toward having separate cluster cultural anthropology programs by 1999, with Michelle as GP person and Mike as Great Lakes. Currently, we have a Midwest Field Area program with Mike as program leader. It does not strike me as unreasonable to have Mike review Michelle's NAGPRA work prior to her responding to parks. Mike would prefer to be the point of contact for all NAGPRA issues for the present and direct work to Michelle as he thinks appropriate for her development. Our monthly meetings will provide the forum for assessing progress in this area. Nearly all of the GP cluster parks have identified an ethnographic consultant. I need to check that list to see who has designated whom. Mike is aware of only a few such designations.

The NAGPRA program is moving into a new phase. Beginning within the next couple of weeks, WASO will be contacting each park directly to gather information on how parks determined cultural affiliation. As I understand it, tribes will soon be notified that parks have completed their cultural affiliation studies and that repatriation activities can begin. A memo from the field director needs to be sent out alerting the parks to this. The quality of the cultural affiliation studies and consultations is uneven in the field area. Other overall NAGPRA concerns include annotated NAGPRA action plans for the parks for inadvertent discoveries and the need for superintendents and their staffs to do NAGPRA consultation for summary items.

There is some overlap between NAGPRA, ethnographic issues, and Section 106. Don Stevens is involved in developing 106 training on the GL side. He and Mike need to get together to determine how to include cultural anthropological concerns into 106 training.

Cultural anthropology areas experiencing some degree of confusion (at least for me) include American Indian Liaison activity and designated contacts for tribal historic preservation programs. Pat Parker, WASO, has this responsibility for NPS and two or three field areas have designated a similar position at the FA level. We need to determine if a such a designation is needed for MWFA. Additionally, Mike and Michelle informed me that seemingly three people, Michelle and Mike for GP and Pat Giorgi for GL, have been appointed contacts for the tribal historic preservation programs. No one having burdened me with any intelligence on this matter prior to my visit to St. Paul, I was unable to respond to this or even know what it is. It does strike me as having three people involved as contacts in a program about which little is known is inappropriate. We need to discuss this.

We discussed and listed project responsibilities. These were as follow:

Michelle -

- Pea Ridge study related to Indians involved in the battle. This research undertaking is Michelle's most important project for the year. A project scope is needed and an on-site

meeting involving her, Mike, and the superintendent is needed to kick this study off,

- COTR duties for the AGFO/SCBL cultural affiliation study and the JEFF overview and assessment.

Mike-

- Development of a cooperative agreement for the Chippewa treaty rights study.
- Black Hills parks needs assessment.
- COTR PIPE ethnographic study of park resources (except quarrying - already done).
- Blood Run ethnographic survey.
- Warren Basket Collection assessment (probably will be handled by Abby Sue Fisher).
- Coordination with Tim Cochran on ISRO ethnographic overview and assessment.

On-going items the ethnographic program will deal with include:

- NAGPRA consultations with parks.
- Assisting parks in developing annotated ethnographic action plans.
- Budget and program development assistance.
- Mike's continuing involvement with the Service's and FA's World Wide Web development.

Miscellaneous items discussed included:

- Developing a brief "marketing" piece for distribution within the FA explaining the cultural anthropology program, its various facets, its role in supporting park managers in identifying and managing ethnographic resources, and the role of cultural anthropologists in assisting park managers in consultations with tribes and other ethnic groups. Sherda Williams has just completed an overview of the cultural landscape program that will be distributed to the parks in the near future. A cultural anthropology portion of the traveling cultural "show and tell" for the Dakotas we discussed is needed.
- Transferring the resolution of EFMO collections issues related to human remains from Michelle to the curatorial staff.

As you can see, the discussion were wide ranging and a number of issues related to the program were identified. While all issues were not resolved, I believe the process by which they will be is established.

As ever, sir, I remain  
your most obedient servant



MAKE IS PROGRAM LEAD:  
 DEVELOP STUDENT BUDGET FOR 2000  
 DEVELOP PROPOSED BUDGET  
 FOR 2000  
 SEEKS NEW FUNDING

WE ARE NOT WAITING TILL 29 TO  
 IMPLEMENT IT NOW IT IS/ HAS BEEN  
 IN EFFECT SINCE OCT 1

TO THAT END  
 MAKE WILL BE POINT OF  
 CONTACT FOR GREAT LIVES  
 FOR ETHNO & MACPRO

MICHELLE WILL BE POINT OF  
 CONTACT FOR GREAT LIVES  
 FOR ETHNO & MACPRO  
 & DIRECT <sup>FIRST</sup> CONTACT W/ MWAC

THAT MEANS

- 1) FIRST CONTACT W/ MWAC
- 2) ATTEMPTS TO PROVIDE AEST
- 3) CONSULTS AS NEEDED WITH  
 OTHER MWAC EXECUTIVE  
 & STAFF

J. LANK  
 N. LEMME

LIAISON - MAKE POINT OF  
 CONTACT FOR GREAT LIVES  
 & GETS MICHELLE INVOLVED \$UN GO ISSUES

POINT OF CONTACT FOR GREAT LIVES  
 FOR ETHNO (GPR)

BOTH MCKE & MITCHELL ARE CURRENTLY  
REPEATEDLY BEING CONSIDERED AS IMPROVED

ACTED  
MCKE & MITCHELL  
TOO IMPROVED

THEY IS NOT A STILL MCKE  
CULT. MCKE

SEE  
MCKE  
MCKE & MITCHELL  
TOO IMPROVED

MCKE & MITCHELL ARE THE RESULT OF LACK  
OF FUNDING & SUPPORT FOR THE  
FEED UP WITH NO SUPPORT

ALL PARKS ADVISED OF RESPONSIBILITY  
WEATHER. WE DO NOT PROVIDE OVERSIGHT  
WE DO NOT PROVIDE OVERSIGHT  
ONLY ADVISE

FEMO WANTS AS PART OF  
THE FEED UP WITH NO SUPPORT  
THAT I WANT CONTINUED FUNDING  
FOR MITCHELL & MCKE AS LEAD  
I AS PRESIDENT

AGREEMENT / PAPER ISSUE OF DELETION:

TREASURY CONCURRENCE BEING GRANTED TO USA.

- 1) COUNCIL OF DEPT. MEMBERS ON BOARD
- 2) AN NEW POLICY?

GOVT TO CONT - FED to address  
From Letter of Contact.

MEMBERS WHO WITH THEM  
ARE COORDINATED OF THE  
FUTURE STRATEGY

FIELD DIRECTOR MEMO  
TO WHATEVER THE CASE CONCERNING

MEMO OF EXP. ON ROAD ACCOUNT

REUTERS DD'S TO REPORT THE

LETTER TO MARK ON PART OF  
CONTACT.





Carolyn - Thanks for your cc:mail message of 7/5. Your itinerary looks fine to me. You listed three aspects of the project. The most important thing for us is to complete the inventory of the collection, which you have listed as item #2. This has not been done for years, and we need a handle on making sure that we have everything we are supposed to. During that process, I am hoping that you will uncover information that may help us ascertain where some of our deaccessioned material is. These are the items that you probably spoke with Michelle about.

You also mention surveying several boxes of papers to determine whether or not they are archives or administrative material. Actually, it is just several piles of papers, not boxes.

Thanks a lot for agreeing to help us. We look forward to having you here!

Karen

Author: Abby Sue Fisher at NP-MISS  
Date: 11/25/96 3:45 PM  
Priority: Normal  
TO: Carolyn Wallingford at NP-MWAC  
Subject: CMP site visit to EFMO

----- Message Contents -----

It was great working with Brian again, and finally having the chance to visit EFMO. The site visit went very smoothly. We spent all day Wednesday reviewing records! As you know from your visit, they need a bit of work in that area. I looked into an long term loan EFMO has had with the University of Iowa since 1970. The loan includes fossil specimens from a larger collection of geological rocks and minerals donated by Ellison Orr (accession 17). The loan expired in 1990 and the paperwork was dropped. Mardi will be looking into it, and I believe one of Brian's recommendations will be for the park to consider deaccessioning the collection (transferring it permanently)--or, bringing the collection back to the park.

I also did a bit of paper trail detective work on the deaccession of human remains (from numerous accessions) that remains a mystery for the park. We found a closed file full of memo's regarding human remains in the "to do" box you set aside. Karen has done considerable research on this and wants to be clear on the disposition of human remains that were excavated within the park boundaries. She thought there was something odd, as there seems to be a gap in the paperwork. Apparently Michelle has been working on this too. It could be that the park has a file somewhere but Karen wasn't aware of any. But then again, she didn't know about the existence of the file in the "to do" box either. Just another good reason to keep all files in one place. I placed yellow sticky's on each memo that dealt with the disposition of human remains. All the materials did go to MWAC for processing and cataloging, and later a contract was set up through MWAC for the Office of the State Archeologist to do analysis work on the materials. At any rate, Brian will discuss this deaccession.

Other incremental improvements: I put the duplicate volumes (1-15) that were on the floor in the Locked File room in a rubbermade container, and marked it clearly. There was no post binder for volume 15 and I saw a huge stash of them, so I went ahead and loaded it up to protect the paper copies. I also placed the sections on AIP, CMR, Checklist, and chapters 5 and 6 in the proper places in the MH and the ANCS user's manual.

In closing, Karen Gustin recently announced she'll taking the Superintendency at Katmai in Alaska! How about that? And I guess Mardi will be gone at FLETC for 14 weeks. They expressed concern about the CMP review timeline, but Brian assured them any special needs as far as time extensions could be worked out with you. Brian will be sending us the intro/close out minutes in a couple weeks for review.

Again, thanks for the opportunity to be Alternate COR!

Hope you have a great holiday and Birthday!!

Abby sue

Mardi  
EFMO  
11-25-96



AIKEN & RAMER  
1725 Linden Ave  
Baltimore  
Maryland 21217  
Voice and Fax  
410.383.9867

FACSIMILE TRANSMITTAL FORM

DATE: 12/4/96

TO: CAROLYN WALLINGFORD, GREAT PLAINS CURATOR,  
AND ABBY SUE FISHER, GREAT LAKES CURATOR

FAX NUMBER: 612 / 290-3214

TEL. NUMBER: 612 / 290-3795

FROM: BRIAN RAMER

SUBJECT: DRAFT MINUTES - EFMO SITE VISIT  
ETC.

TOTAL NUMBER OF PAGES (INCLUDING FORM): 7

MESSAGE/SPECIAL INSTRUCTIONS: ENCLOSED IS A DRAFT OF  
THE MINUTES FOR THE SITE VISIT TO EFMO. PLEASE  
GET BACK TO ME WITH COMMENTS SOON IN ORDER  
THAT A COPY CAN BE SENT TO KAREN GUSTIN.  
AS WITH BADLANDS N.P., THE PARK WILL  
HAVE 5 DAYS TO RESPOND BEFORE A  
FINAL COPY OF THE MINUTES IS DISTRIBUTED.  
REGARDS, BRIAN

Please call 410-383-9867 if difficulties arise during transmission

ENCLOSURE  
EFMO PPT - 1/1/97



IN REPLY REFER TO:

# United States Department of the Interior



NATIONAL PARK SERVICE  
Mississippi National River and Recreation Area  
175 Fifth Street East, Suite 418, Box 41  
St. Paul, Minnesota 55101-2901

## FACSIMILE TRANSMITTAL SHEET

DATE: 5 Dec 96  
TIME: 9:20 am  
TO: MWAC  
ATTN: Carolyn Wallingford  
SUBJECT: EFMO minutes.  
COMMENTS: Hi there! Here are my  
comments on the minutes. They look  
good. See cc mail message for  
further comments.  
Abbyeve

FAX MACHINE NUMBER: FTS 777-3214 OR (612) 290-3214  
OFFICE PHONE NUMBER: FTS 777-4160 OR (612) 290-4160  
TOTAL NUMBER OF PAGES (INCLUDING THIS ONE): 7

DRAFT

Effigy Mounds National Monument  
Collection Management Plan Site Visit

Minutes of Meetings

Introductory Meeting, 11/20/96

In attendance:

- K. Gustin, Superintendent, EFMO
- M. Butt-Acre, Chief, Interpretation, Visitor Services and Protection, EFMO
- A.S. Fisher, Great Lakes S.S.O. Curator
- B. Ramer, Contractor for Collection Management Plan

*I think it should be mentioned that ASF is Alternate COP and participated in the site visit because Carolyn was unable to attend. Carolyn is COP. (Contracting Officer's Representative)*

The meeting started with an explanation of the function of the Collection Management Plan (CMP) by Abby Sue. She identified the various topics addressed by the CMP, and said that the report would serve as a "base line" document for the park. Funding to implement the plan's recommendations, ie specific projects or tasks, can be provided on a year-to-year basis through the Collection Management Program administered by the System Support Office Curator. However, ONPS-based funding would need to be sought through different channels.

*switch this to first paragraph of close-out meeting.*

Areas of Concern

1. Curatorial Responsibilities at EFMO. Karen and Mardi provided background information regarding past and present curatorial activities at the park. In the past, former seasonal Park Rangers, including (b) (6), (b) (7)(C) were employed during the winter months to do museum cataloging. (b) (6), (b) (7)(C) was able to complete the bulk of the cataloging, with the exception of the backlog of photographs which Jeffrey Dawson is undertaking at the moment. Approximately four years ago (b) (6), (b) (7)(C) switched to administrative work at the park, leaving no one to attend to the day-to-day needs of the museum collection.

Mardi has kept up with the paper work for the overall management of the park's cultural resources since she came less than a year ago. One of her assistants, Chris Harman, has collateral duty for management of the collection. (His principal responsibility is law enforcement.) He has had a limited amount of training in curatorial work, and was unable to work with the collection in the recent past because it was in storage (due to renovation work on the Visitor Center). However, he assisted the curatorial strike team who came to EFMO in August 1996. (He also went to Nicoedemus,

*maybe this could be moved to the 1st paragraph in reference to ASF as Alternate COR.*

Kansas, to assist Carolyn Wallingford [Great Plains S.S.O. Curator] during the week of the CMP site visit).

Chris is currently working through a "to do" list which was generated by the strike team. Mardi remarked that Chris does not have adequate time to work on the collection because he is a permanent member of staff subject to furlough. This means that, on average, he is not working three months of the year. His furlough occurs during the winter, a period when he could devote most of his time to collection-related duties. It was agreed that if money could be found, it would make most sense to employ Chris to undertake these duties during his furlough, rather than contracting seasonal employees to do this work. Karen added that Sharon Greener had estimated that the collection records could be brought into good shape if someone was employed for this purpose for approximately twelve months.

2. NAGPRA. Karen indicated the status of consultations with American Indian groups regarding possible repatriation of objects in the museum collection. Of the five groups identified, three have already been consulted. Karen hopes to communicate with the remaining two before she leaves for Alaska in January. Based on consultations made to date, a consensus is emerging about the items of most concern: two separate collections of human remains. (One was a "bundle burial" which was found on private property approximately two miles south of the Visitor Center but donated to the park. The other group of human remains were inadvertently found at Sny Magill. Both groups are stored at the Midwest Archeological Center, Lincoln, Nebraska.) Karen said that she has kept in touch with Mike Evans, Field Area Ethnologist, about her consultations. Assuming that all parties agree, it is quite possible that the human remains will be reburied within the park boundaries.

*Ethnographer/Cultural Anthropologist*

Karen added that the summary list of NAGPRA-related items was prepared in 1993 by Sharon Greener, who did not have the background to analyze the entire museum collection and to decide which items should be included on the summary list. (The list comprises approximately 60 items.) Abby Sue said that the Service-wide guidelines on NAGPRA issues were not very clear at the time. Accordingly, it is likely that some errors/omissions were made. Moreover, she noted, work still remains to be done on clarification/finalization of the guidelines and regulations.

3. Geological Specimens (part of Orr Collection). Mardi said that there are two storage cabinets in the basement filled with unidentified geological specimens. (Another group of specimens forming part of the Orr Collection - which Orr personally identified - has been cataloged, and labelled.) The unidentified items have no provenance and have not been cataloged or labelled. As far as the park is concerned, they have no/little use and

should be disposed of (ie deaccessioned). However, before doing so, it was felt that curatorial advice should be sought. (This was an issue that Carolyn Wallingford was going to address during the site visit.)

Abby Sue agreed that there was little point in retaining the specimens if they have no provenance or information directly associated with the park. Karen sought clarification on an appropriate method of disposal of the items. Abby Sue indicated that the recently adopted ~~Service-wide guidelines~~ enable parks to give deaccessioned items to non-NPS institutions, (eg university, local school, or local historical society), if these items no longer had a function at the park. Brian suggested that a geologist could be contacted to identify the specimens. Perhaps some of the items could be transferred to park property and used for hands-on, interpretive activities. Another part of this material could be given to a school nearby for science classes. Mardi noted that the Geology Department at the University of Iowa may be interested in the specimens, (or at least interested in identifying them), since a loan agreement (for fossils) exists between the park and the department.

legislation →

#### 4. Exhibits.

The exhibits in the museum were upgraded approximately eight years ago. There are some shortcomings which should be addressed, for example, the height of the objects in the alcove exhibit case. Handicapped persons and small children find it difficult to see those objects which have been placed at the top of the case. Approximately \$10,000 will likely be given by WASO to upgrade the interpretive panels in the museum, perhaps over a two-year period. The money has not been specifically earmarked for upgrading the exhibits for the purpose of accessibility by the handicapped.

#### 5. Natural History Specimens.

Mardi mentioned that a collection of invertebrate specimens is gradually being assembled by one of the Rangers who works as a science teacher during the academic year. At present, these specimens are not part of the museum collection. Mardi wondered what would be an appropriate course of action: should the items be accessioned into the museum collection, or should they perhaps be part of park property and used for interpretive purposes?

Close-Out Meeting, 11/22/96

In attendance:

K. Gustin, Superintendent, EFMO  
M. Butt-Acre, Chief, Interpretation, Visitor Services and  
Protection, EFMO  
A.S. Fisher, Great Lakes S.S.O. Curator  
B. Ramer, Contractor for Collection Management Plan

The meeting started with a brief discussion of the framework of the Collection Management Plan. The document will contain chapters on museum collection records, the park's Scope of Collection Statement, fire protection and security (including the EOP), the museum environment, exhibits, storage, the condition of the collection and collection housekeeping, curatorial staffing, and planning, programming and funding. The report's findings are intended to detail the conditions at the park at the time of the site visit. Recommendations will be made for the short-term (within one year), mid-term (within two years), and long-term (within three-five years).

The park will have an opportunity to review two working (draft) copies of the report before the final version is submitted for duplication and distribution. The first draft will be sent to the park in the second half of January, shortly after Karen leaves for Alaska. Karen asked whether it might be possible to extend the Service's review period in order that she could have an opportunity to comment on the draft once she has settled into her new job. It was suggested that she discuss this with Carolyn Wallingford.

Brian then outlined his findings and indicated the park's principal collection-related priorities, which are summarized below.

1. Reconciliation of museum records. There are deficiencies with the museum records, eg incomplete entries in Accession Book, catalog records (Form 10-254) not complete, out-of-date loan agreements, and absence of collection inventories. These deficiencies can largely be rectified by Chris, with initial assistance (ie short visit) from someone in the Field Area with more curatorial experience. Chris could work on this project during his furlough time over a period of two-three years, assuming funding could be earmarked for this purpose.

2. Initiation/completion of collection-related plans. A number of collection-specific plans need to be drafted, eg IPM, EOP, and housekeeping/maintenance plan. In addition, the Scope of

Didn't we discuss this at the intro meeting? Consider switching this paragraph with the first paragraph for the Intro meeting.



Collection Statement should be revised in the foreseeable future, ie next two-three years. Furthermore, the RMP should be expanded/finalized in order that collection-related project statements can be reviewed for possible funding. The order of priority of projects for the Cyclic Program are: reconciliation/completion of museum records, rehab of museum exhibits, conversion of nitrate negatives to a more appropriate format (in collaboration with other parks), and installation of bookshelves for the Orr Collection of books.

3. Upgrading museum exhibits. As mentioned, a project statement to rehab the museum exhibits has been prepared. The statement could be revised to include the provision of a bottom shelf in the alcove exhibit case (to lower the position of the objects currently exhibited at the top of the case). The project statement already has identified the replacement of cracked sheets of Plexiglas which comprise part of the cases' exterior construction.

4. Improvement of environmental conditions. Control of light (intensity of visible light) in the museum is the principal environmental issue at the park. To lower the light levels, light-diffusing covers/sheets can be placed beneath the ceiling-mounted fluorescent lamps, and lower wattage bulbs can be used behind the curved panel which runs around most of the room, beneath the set of framed watercolor illustrations. Moreover, the park should investigate the feasibility of installing an infrared motion detector at the entrance to the museum, which could be used to switch on the exhibit lighting for a specified period when someone enters the space. This also would serve to reduce the park's energy costs. Ideally some/all of these improvements could form part of the museum exhibit rehab project discussed above.

A more rigorous system of monitoring the temperature and relative humidity will need to be adopted. In particular, regular calibration of the hygrothermographs is required, and the charts should be changed on a weekly basis to avoid to presence of two-three weeks of data on one (7-day) chart. The data from the charts should be evaluated in approximately one year to assess the performance of the building's mechanical system. In addition, new hygrothermometers should be purchased for installation in the exhibit cases. The existing meters cannot be calibrated and their current readings are not correct.

5. Improvement of Collection Storage. There is adequate space for the collection housed in the basement storage area. However, some of the cabinets can be reorganized to make more efficient use of the available space. For example, some cabinets contain empty boxes; other cabinets contain unidentified rocks which, as discussed above, should probably be deaccessioned. New shelving should be purchased to house the Orr Collection of books.

6

6. Upgrading Security Measures. A number of relatively minor issues should be addressed: replace the flashing light at the front of the VC with a better method of notification of forced entry; replace the front doors on the building in order not to bypass the electronic security system; and locate/utilize the (lock) combinations of the metal filing cabinets in the Archives Room.

Hi Wally!

Thanks for the phone message. Hope you had a great Thanksgiving/B-day celebration!

I faxed my comments on Brian's EFMO minutes to you. Not sure if you want to add to it and then fax them back to Brian (I have not faxed them to him yet). Let me know how to proceed okay?

Also, during the intro meeting, Karen wanted to go "off the record" about the deaccessioning that took place in July of 1990 (there was a deaccession earlier as well). I mentioned a bit of this in my cc message to you about the site visit. Karen could fill you in before she goes. Again, although I don't think there was any ill intent by the former Supt, Karen is a bit embarrassed to not know exactly what happened to those human remains (there is no obvious paper trail). As a result, this discussion does not appear in the minutes.

I am here tomorrow but off to the Grand Canyon on Sunday! I'll be attending the Fundamentals of Training Course there (9-13) and will be back in the office on the 16th. Let's chat tomorrow sometime.

Until then....

Abby sue

Date: 7/24/97 1:48 PM

Craig:

I have spoken with Kate Miller at EFMO regarding their NAGPRA consultation needs. She can apply the entire amount remaining in the general NAGPRA account we have set-up here (approximately 6,000) to continued NAGPRA consultation efforts at EFMO. I'm not sure of our account number. I recommend that we transfer the money to the park. Kate is prepared to establish an account and initiate use of some of these funds yet this FY, and the balance into the next FY as necessary.

I explained that while Mike Evans is lead in the program, I serve as contact person and will assist her (in consultation with Mike) with NAGPRA consultation as she requires. In this way, we will draw upon the expertise of Mike and expand my own. As consultation efforts continue at the park, I suggested that both Mike and I could either assist or even lead the consultation efforts as needed. She was appreciative and stated that our travel to the park should be funded from the above transfer of funds, if necessary.

I look forward to working with Superintendent Kate Miller on NAGPRA and Ethnography issues/matters very soon.

Michelle

Reply Separator

---

Subject: Re: NAGPRA Money  
Author: Kate Miller at np-efmo  
Date: 7/23/97 8:21 AM

Michelle-- Sorry to be so slow to respond. I was out of the office all last week and up to our ears in GPRA this week! I have not had time to thoroughly review the park's consultation files; however, Karen left me good briefing notes, and it would appear that we could use the \$\$\$. We need yet to meet with the HoChunk tribe in Wisconsin--and Karen had hoped to bring representatives of all five tribes to the park for a meeting to collectively resolve the disposition of the human remains. I think this would be a good approach and would like to use the funds to do that.

Give me a call when you have a chance--I'll be here all this week and next.

I look forward to working with you!

Kate Miller

Reply Separator

---

Subject: NAGPRA Money  
Author: Michelle Watson at NP-MWRO  
Date: 7/18/97 12:50 PM

Kate Miller:

Hello, my name is Michelle Watson. I serve as the Cultural Anthropologist for the Great Plains Cluster Parks. I'm duty stationed at the Regional Office in Omaha, Nebraska. I'm writing to welcome you to Effigy Mounds National Monnument (EFMO) and to inquire about the status of NAGPRA consultation at the Park.

I realize that you've not been at EFMO long but I'd like to know if you've had an opportunity to evaluate what Superintendent Karen Gustin was able to accomplish toward NAGPRA consultation prior to her departure. The last I heard was that she had begun consultation discussions and meetings with representatives of both the Winnebago and Shawnee Tribes.

I am inquiring at this time because we have in our general NAGPRA account a few thousand dollars that we'd like to spend THIS fiscal year and I wanted to know if you could use any of it to continue the consultation process that Karen had begun? I'd like to recommend that EFMO use some of the money to continue NAGPRA consultation, a process that is considered ongoing.

I will be in the office the week of July 21. I can be reached at telephone 402-221-3786, by e:mail, or at fax 402-221-3465. I look forward to hearing from you.

/s/ Michelle L. Watson, Cultural Anthropologist, GPSO, MWR, NPS





Author: Cal Calabrese at NP-MWRO  
Date: 7/25/97 2:46 PM  
Priority: Normal  
TO: Craig Kenkel  
BCC: Michelle Watson  
Subject: Re[4]: NAGPRA Money

----- Message Contents -----

Craig, you and I need to talk on Monday. Mike is a bit presumptuous responding to a memo addressed to you. It is not his prerogative to move or obligate funds. It is especially not his prerogative since he does not work for or in the Great Plains SO.

His second paragraph indicates that he still does not understand how we operate and work with superintendents.

He needs a lesson, or two. and guess what, You're the instructor.

Cal

Reply Separator

Subject: Re[3]: NAGPRA Money  
Author: Michelle Watson at NP-MWRO  
Date: 7/25/97 1:23 PM

Cal - IMPORTANT! For Your Information. Please note all statements throughout!!!

Forward Header

Subject: Re[3]: NAGPRA Money  
Author: Michael J Evans at NP-MISS  
Date: 7/24/97 8:17 PM

Michelle,

Thank you for your recommendation regarding the remaining NAGPRA money. I will handle the transfer of the funds myself after I speak with Kate and Nora Lehmer regarding accounts. I will forward the results on to Craig and Chas, with you as a cc:, when that is completed.

Thank you for your effort in communicating with Kate Miller. However, while the EFMO consultation is needed and would be beneficial, in your role as point of contact please do not commit the ethnography/cultural anthropology program (or me) to taking on another significant task, now or in the future, without consulting with me first. According to my position description, I am responsible for formulating the goals and objectives of the program on a region-wide basis, not just the Great Lakes cluster, in consultation with the Team Managers. I welcome and encourage your comments and suggestions, which I will consider as I put together the workplan for the program in FY98. As far as I know, Karen Gustin never asked for help, but it sounds like Kate Miller might. So, given the nature of the situation with EFMO, I will certainly include, at a minimum, NAGPRA-specific technical assistance for EFMO in the program's goals for FY98. Both of our specific work assignments for the year will naturally come out of that program plan. I do not anticipate the program plan for FY98 being finalized until

MWRO-1000-001  
MWRO-1000-002  
MWRO-1000-003  
MWRO-1000-004  
MWRO-1000-005  
MWRO-1000-006



after the decision regarding the Team Manager position is announced, although we can certainly start discussing it now. If unexpected things come up during the course of the year, the program's workplan can be modified, and if necessary, we can go to the Team Manager and ask that work assignments be changed.

I am out of the office until next Thursday, but cc:mail can always find me. Alternatively, I will be in Omaha Monday-Wednesday with the Blood Run Special Resource study group. I have been told that the group will use all three days (Tuesday is a site visit; potentially a long day), but there may be time on Monday evening to chat.

Mike

---

Reply Separator

Subject: Re[2]: NAGPRA Money  
Author: Michelle Watson at NP-MWRO  
Date: 7/24/97 1:48 PM

Craig:

I have spoken with Kate Miller at EFMO regarding their NAGPRA consultation needs. She can apply the entire amount remaining in the general NAGPRA account we have set-up here (approximately 6,000) to continued NAGPRA consultation efforts at EFMO. I'm not sure of our account number. I recommend that we transfer the money to the park. Kate is prepared to establish an account and initiate use of some of these funds yet this FY, and the balance into the next FY as necessary.

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Michelle

---

Reply Separator

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Author: Kate Miller at np-efmo  
Date: 7/23/97 8:21 AM

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Give me a call when you have a chance--I'll be here all this week and next.

I look forward to working with you!

Kate Miller

Reply Separator

---

Subject: NAGPRA Money

Author: Michelle Watson at NP-MWRO

Date: 7/18/97 12:50 PM

Kate Miller:

Hello, my name is Michelle Watson. I serve as the Cultural Anthropologist for the Great Plains Cluster Parks. I'm duty stationed at the Regional Office in Omaha, Nebraska. I'm writing to welcome you to Effigy Mounds National Monmument (EFMO) and to inquire about the status of NAGPRA consultation at the Park.

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I will be in the office the week of July 21. I can be reached at telephone 402-221-3786, by e:mail, or at fax 402-221-3465. I look forward to hearing from you.

/s/ Michelle L. Watson, Cultural Anthropologist, GPSO, MWR, NPS



Carolyn,

Michelle sent me two long messages regarding her latest kick, which happens to be EFMO (I do not understand why she won't finish what she's got, before trying to take on more...). In those messages she made reference to some old news regarding misplaced or missing collection items, and items on loan.

Please rest assured that I have no intention of letting her drag the ethnography/cultural anthropology program into collection management issues. Unfortunately, Michelle is not only actively trying to take over aspects of my job (as stated in my position description), she seems hell-bent on taking over anything involving American Indian issues, items, or information.

I will do what I can to control the situation, but if I'm not entirely successful, please don't shoot me... If it gets really bad, we all have the same boss on October 1, so maybe something can be done then.

This message will not self-destruct unless you delete it ! :)

Mike

WPA (10/1/00)  
EFMO (10/1/00)



---

Author: Michael J Evans at NP-MISS

Date: 8/1/97 12:09 PM

Priority: Normal

TO: Craig Kenkel at NP-MWRO

CC: Michelle Watson at NP-MWRO

Subject: status of NAGPRA funds

----- Message Contents -----

Craig,

Nora Lehmer told me there's a little more than \$8400 left in the NAGPRA account, and wanted to know if the total amount, not just \$6000, should go to EFMO (I apparently inadvertently counted a previous transfer twice). I called the park, but the Superintendent will be out until later this afternoon. I spoke with the AO, however, and they will probably ask for the whole amount and then plan for some serious tribal visits and meetings at the park. I should know for sure later this afternoon.

Mike

Author: Kate Miller at np-efmo  
Date: 8/29/97 3:04 PM  
Priority: Urgent  
Receipt Requested  
TO: Michelle Watson at NP-MWRO  
Subject: NAGPRA RFQ

----- Message Contents -----

Michelle, I have attached a revised draft that incorporates Carolyn Wallingford's suggestions. You can ignore the previous version.... Thanks.

I also want to acknowledge your previous message. I will get you something in writing to request your office's assistance in FY98. It may take a few weeks, though, unless something very general would be helpful. Kate

MWRO-0101-01  
MWRO-0102-01  
MWRO-0103-01  
Wallingford, Carolyn  
8/29/97  
10:11:10

*Kate Smith*

BACKGROUND

The Native American Graves Protection and Repatriation Act (NAGPRA, 1990) requires Federal agencies to provide information about Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony to lineal descendants and Indian tribes and, upon presentation of a valid request, dispose or repatriate these items to the appropriate tribal representative. Staff at Effigy Mounds National Monument have prepared a list of such objects in the monument's collection based on information provided in the museum's catalog and accession records and the Ellison Orr archives. However, the listed items and others which may qualify for the list have not been assessed by a professional anthropologist or archeologist. The final list will be the basis for a future study to determine affiliation with any contemporary cultures and for NAGPRA consultations with federally recognized Indian groups.

*or lineal descendant*

*consulted with NPS preparing to a summary in 1995. Two lists were prepared*

*These are other items in our collection which may fit one or more of the list categories with definition of NAGPRA.*

There are currently 18 entries on the monument's list; an additional 19 entries were considered but not included. The museum collection contains approximately 18,000 items on site including objects and archival records. A small collection of materials and associated records is curated at the at the Midwest Archeological Center (MWAC) in Lincoln, Nebraska. This collection has not been cataloged and is considered a catalog backlog. All collections at the monument are catalogued and entered into the National Park Service's Automated National Catalog System (ANCS), a database which can be accessed through dBase III.

*Separate for Inv. & Ser*

Two unresolved issues exist in the monument's records related to a 1990 deaccession of human remains. A review of the deaccession process and related documents and records is needed to clarify the disposition of these items and determine whether any associated grave goods remain in those accessions. These items would now be defined as "unassociated funerary items" in terms of NAGPRA.

SCOPE OF WORK:

*To Whom??*

1 - Conduct a professional review of the current list of items for potential NAGPRA consultation, the additional identified candidate items, and other potentially eligible items in the collection. Provide a report of recommended additions to and/or deletions from the monument's list, including the supporting justification for each recommendation. The written justification for NAGPRA deaccessions must reference the data used to determine the NAGPRA categories. Prepare a revised list based on this study.

2 - Conduct a comprehensive review of the 1990 deaccession, including primary fieldwork documentation related to the deaccessioned objects, relevant accession and deaccession records, and park correspondence files, together with the objects remaining in those accessions. Provide a report which summarizes the accession history and assesses the status of the deaccessioned items and the objects remaining in those accessions in terms of NAGPRA. The report will contain an inventory list of objects in the deaccession package to include: catalog number, accession number, item count or quantity, object name, and brief description.

*These are two separate studies. Are records in excellent condition whereby all items are cataloged and all items cataloged are accounted for. If not then is a collection issue which should be resolved before doing any*

*consultation of records.*

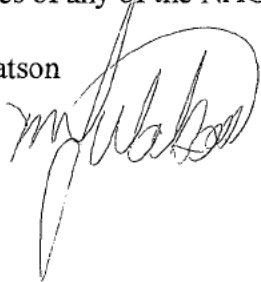


November 17, 1997

Notes on conversation with Kate Miller, Superintendent, Effigy Mounds.

Kate Miller phoned today to inquire as to the status of the NAGPRA law. She had been informed by Dale Henning that the law was being amended or rewritten. I informed her that the only thing that is forthcoming with NAGPRA is the final recommendations on the disposition of culturally unidentifiable remains, and that the civil penalties section is a working implementation and probably would not change. She expressed concern that Dale was only planning to spend two days at the park to evaluate all the collections; she thought this was too little time and thought that the original SOW called for at least a week of field time. I stated she should express this concern directly with Dale now while he was at the park, and ask him what his intentions were. After all, Kate made the sole decision to contract the work out herself, serve as CO and COR, and made the decision on the contractor herself. She now must deal with the situation at hand. I asked if she needed copies of any of the NAGPRA law and she stated she had everything.

Michelle Watson



MAY 22 1 00 PM '97  
NATIONAL ARCHIVES  
COLLEGE PARK, MD  
COURTESY OF  
DANIEL F. KELLY

Author: Carolyn Wallingford at NP-MWAC  
Date: 1/7/98 3:45 PM  
Priority: Normal  
TO: Michelle Watson at NP-MWRO  
Subject: EFMO

Michelle:

What is the status of Laurie Stanley's project at EFMO to resolve some of the ambiguities dealing with possible deaccessioning of museum collections that might be NAGPRA sensitive? (Programmed with the \$8,000 NAGPRA money they received for which a SOW was prepared in FY97)

May I have an opportunity to review the draft report from the curation perspective?

Just for your general information--the park requested CRPP \$ to have some conservation work done on a copper breast plate in FY98. The work is really a process to remove sticky residue that stuck to the object. A long story...The project statement they prepared was way high and the Chief Curator has some concerns about their projection so I offered to assist them with procuring a qualified archeological metals conservator instead of a general objects conservator.

For now,

Carolyn

Dr. Lori Stanley  
Highland Cur. Lab. Center  
Waco, TX  
+ Dept. of Native  
Languages  
Brewer, Iowa

Carolyn Wallingford  
NP-MWAC  
1/7/98

Author: Michelle Watson at NP-MWRO  
Date: 1/8/98 8:41 AM  
Priority: Normal  
Receipt Requested  
TO: Carolyn Wallingford at NP-MWAC  
Subject: EFMO

Carolyn,

After a final review of my file I have resolved the mystry. EFMO was awarded only one lump sum of 8,000 back in August-September, 1997. This was to be used to bring-on a contractor to evaluate their collections as well as the 1990 deaccession issue. Of the 8,000, she kept 2,000 for consultation purposes and the 6,000 was used to contract with Dale Henning of the Illinois State Museum Society, Springfield, Illinois. The date of the order was 9/16/97; the draft reports were due 1/2/98; and the final reports are due 2/1/98.

I do not believe Lori Stanley was ever involved. If she was, the park paid her out of other funds and did not submit a report to us of her findings. However, I find this highly unlikely due to the fact that Kate Miller is having the contractor Dale Henning evaluate the 1990 deaccession as part of the current contract.

I'll let you know when I receive a review draft report from Kate.

Michelle

Michelle Watson  
NP-MWRO  
1/8/98 8:41 AM  
Carolyn Wallingford  
NP-MWAC

DRAFT



ACCESSION HISTORY  
and  
STATUS  
of  
1986 & 1990 DEACCESSIONED ITEMS AND OBJECTS

Prepared for:  
Department of the Interior  
National Park Service  
Requisition No. RFQ 6290-7-0004

Field work conducted 11/17, 18, 1997

by  
Dale R. Henning

Illinois State Museum Society  
Archaeological Services Program  
Dale R. Henning, Director

Illinois State Museum  
Quaternary Studies Program  
Technical Report 97-1165-33

Report Submitted: March, 1998

## ACKNOWLEDGEMENTS

The research reported on in the following short report is the result of a long and arduous undertaking. Much of the heavy going has been made significantly lighter by Effigy Mounds National Monument Superintendent Kathleen Miller and her staff. I have consistently been given the assistance requested and have been offered understanding and sympathy when frustrated by data inconsistencies and informational dead ends. One extension in time was generously given; that time has been used to significantly alter a number of misconceptions and to improve the general quality of the report. Some misconceptions, errors and omissions undoubtedly remain that deeper and more intensive investigations could have avoided; for these I must claim responsibility.

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## INTRODUCTION

This report summarizes the accession history and offers an assessment of the status of the 1990 deaccessioned items. Those items all consist of human remains and are subject to NAGPRA. The project has been conducted following the Scope of Work of RFQ6290-7-0004 issued by Effigy Mounds National Monument, National Park Service (Appendix A). Included in the report is a listing of all objects (human remains) deaccessioned (Table 1), brief descriptions of how they came to be part of the Effigy Mounds National Monument (EFMO) collections, an account of studies made of those remains, their current status and a listing of objects that were associated with them (Table 1).

The 1990 deaccessioned items have been "tracked" from the time of their accession to the present. Most of these remains (Appendix I) have been studied and reported upon (Fisher and Schermer 1987) by the Iowa Office of the State Archaeologist (OSA). Some, those that were recovered off the Effigy Mounds tracts, have been reburied or sent to the state of origin for subsequent reburial. The remainder were returned to the Monument. It is clear in the letter from Calabrese to Schermer dated April 7, 1987 (Appendix B) that the invoice for the work was to be submitted after the collections (of human remains studied and reported upon) were returned to EFMO. With the exception of 8 skull fragments from Accession 8 (Highway 76 Rockshelter) all human remains from Park property were returned to the Monument by the Office of the State Archeologist and were apparently received May 1, 1987 (Appendix B).

The 8 skull fragments from Accession 8 were analyzed by OSA, then returned to EFMO (letter, Schermer to David, 2/28/90; Appendix C). All of the remains analyzed by OSA were eventually returned to EFMO, but are now unaccountably missing.

In 1995, the Superintendent at EFMO, Karen Gustin, was asked to search the museum collections for human remains. She reported (letter 7/28/95; Appendix F) that none were found. Further correspondence, dated 10/20/95 (Appendix F) states that a bundle burial and remains retrieved from Mound 43, Sny Magill Group, during vandalism repair were curated at MWAC.

The disappearance of the skeletal remains became apparent at EFMO and resulted in a series of correspondences early in 1996, the general conclusions of which was that the remains were unaccountably missing (Appendix F).

In the following report, skeletal remains will be dealt with by accession number. The accession catalogue offers contextual data (where the object came from), who presented the remains and, sometimes, something of the circumstances under which the remains were taken from the ground. Should the accession catalogue not offer information in sufficient detail for employment in this report, some "teasing out" of information has been required. Thus, some intensive research has been required for some accession units. Accession numbers are sometimes assigned to materials taken from more than one location; the locations are be sorted out and the materials from each discussed in that context if possible. The status and present location of the human remains identified will be discussed to the degree possible. Any objects which were associated with human remains; all of which are now *Unassociated Objects* (now physically separated from the skeletal elements), are presented in Table 2 by accession number and specific location.

## THE RESEARCH AND RESULTS

The present study is designed to assess the status of these NAGPRA eligible materials, to present the data pertinent to their becoming part of the EFMO collections, to demonstrate the relationship between the skeletal remains and any artifacts that may have been associated with them and, finally, to trace the present location(s) of the human remains. As did Fisher and Schermer (1987), I will follow the accession numbers assigned by various catalogers at Effigy Mounds.

**Accession #1** Accession #1 was posted in 1950, described as "Archeological materials from authorized excavations on the monument" (following this in different hand and pen is inscribed 13AM82 - 55), and was received from Paul Beaubien, Archeologist. The record also states that acquisition was through an NPS Authorized Project and that portions were deaccessioned ("see deaccession list"). The note offering the site number, 13AM82 (the Nazekaw Terrace site) and the number following that site number, 55, might be taken to suggest that all the skeletal remains came from Mound 55, one of the mounds from which materials included in accession #1 were derived.

Items included in Accession #1 were excavated by Paul Beaubien, NPS Archeologist, from Mound 55, Nazekaw Terrace, Effigy Mounds National Monument, in the summer of 1950 (Beaubien 1953a, 1953b). The skeletal remains were analyzed and written up by Fisher and Schermer (1996), then returned to EFMO on May 1, 1987 (notes, Appendix ). All were attributed to Mound 55 (Fisher and Schermer 1996:4-8).



⑦ There is a problem with these remains. Judging from the artifacts also included under Accession

#1, there should have been skeletal remains from Mound 57 as well, including three badly decayed long bones and portions of two bundle burials, representing at least 12 individuals. Of the 12, one was an infant, one a child of about six, an adolescent of ca. 12 years and the remaining eight were adults (Beaubien 1953b:133-135). Beaubien does not describe any of the bone from Mound 57 as burned.

Mound 55, on the other hand, produced "a charred mandible and skull fragments ... charred fragments of a second skull ... an unburned femur associated with a portion of a crushed and charred pelvis ... numerous scattered fragments of charred bone in black earth loaded with minute pieces of charcoal ... the charred portion of the symphysis region of a mandible ... fragments of tooth enamel believed to be human." (Beaubien 1953b:129).

Schermer and Fisher discuss some cataloguing problems with the materials submitted to them, discussing at some length, but not resolving the difficulty, of material labeled "AM47". The "AM47" material is "a mixture of unburned bone and almost carbonized burned bone" (Schermer and Fisher 1996:4), which does not offer much assistance to this research. Still, Beaubien's description of the materials from Mound 55 suggests to me that most of the human remains from there were burned; the exception being one femur. Further, his descriptions of Mound 55 suggest that there could have been as few as only two persons represented. Following Beaubien's discussion, Mound 57 may have had as many as 12 individuals represented. I suspect that the Schermer and Fisher report combines data from Mounds 55 and 57 due to the poor records they received when presented with Accession #1. They might have become aware of these problems and, perhaps, modified their approach to the materials in Accession #1 had they consulted Beaubien's published accounts of the excavations (Beaubien 1953a, 1953b).

X The human remains in Accession 1 were returned to EFMO May 11, 1987, and have since disappeared.

X Accession 2 One item from the Ellison Orr collection (Cat #514) is apparently a piece of human bone from an undetermined location. It was not transferred to the Office of the State Archeologist for analysis and was not observed during the two visits I made to EFMO. Ellison Orr was not in the habit of retaining human bone in his collection, but might have done so in this instance because of some anomaly. It may remain in the collections.

Accession #5 Accession #5 was posted on August 17, 1952, described as "Archeological materials from authorized excavations at Sny Magill Mound Group", and was received from Paul L. Beaubien, Archeologist. The record also states that acquisition was through an NPS authorized project, that portions were deaccessioned ("see deaccession list for deaccessioned portions of this accession") and that the catalogue number is 291. The trinomial site number for the Sny Magill Mound Group is 13CT18.

Fisher and Schermer (1987:9) were sent only a few bones from Accession 5 (Cat #3929; Appendix H). Their descriptions do not conform to Beaubien's description of the remains he found in Mound 7. They discuss the remains found in two boxes, suggesting that a minimum of one individual is represented. I do not believe that they received all the remains from Mound 7 and quite obviously did not receive the remains from Mounds 43, 27 or 24. These remains will be discussed below, relying on Beaubien's published discussions. The fate of the skeletal remains is not known. X

*Mound 7* Beaubien (1953b:62-63) encountered two individuals in Mound 7, a low, conical mound in the Sny Magill Group. One was a compact bundle burial with most bones present and articulated. The vertebral column, skull, mandible, humeri, ulnae, femurs, pelvis all were recognized in the field. He suspected that the burial was a secondary inhumation (buried after the body had at least partially desiccated or a burial - exhumation - reburial situation) because of the relationships of some of the articulated elements. The second individual is represented by some long bones, skull fragments, portions of a mandible and teeth. The teeth, found near the mandible, were worn sufficiently to expose pulp cavities; one carried a distinct caries pocket.

Three simple triangular projectile points were found in association with the scattered remains of the second individual in Mound 7. Obviously, Beaubien was nonplussed by their presence in a mound because this point type is generally associated with Upper Mississippian groups (in this region, Oneota) here. While he was digging it, Beaubien had obviously believed that Mound 7 was constructed by Woodland tradition people, led by the predominance of evidence supporting that hypothesis in this part of the Mississippi River valley. It should be noted, on the other hand, that the carious tooth suggests a high-carbohydrates diet, a characteristic of people that cultivated and ingested large amounts of corn. Evidence for corn gardening is quite common in late Woodland sites in some regions of the upper Midwest, but not in all. Most northeast Iowa late Woodland sites offer no evidence for corn horticulture. Beaubien found the triangular points remarkable, but found sufficient evidence for small triangular points in Wisconsin near Madison and in Northwestern Illinois to satisfy his doubts for late Woodland authorship for Mound 7. On the other hand, most of the mounds around Red Wing, Minnesota (located about 150 miles upstream on the Mississippi) about which any record remains were constructed by Upper Mississippian people. There is also other evidence for mound use, if not construction, on the part of Oneota people in northeast Iowa. Unfortunately, those responsible for construction and use of Mound 7 did not see fit to include a pottery vessel or even a few potsherds to help us in identifying the authors. *makers?*

The artifacts recovered from Mound 7 by Beaubien are listed in Table 2. There is a problem, however, with a fourth projectile point which is small and corner notched, perhaps an arrowpoint. The accession number on this contentious point is 1, suggesting that it was in the Beaubien Sny Magill collection. It is catalogued as #3931, within the sequence (#s 3930-33) of the triangular points from Mound 7, but is clearly marked "Md 27". Beaubien records no artifacts from Mound 27, a large bird effigy, and records no small corner notched points from

redundant left  
serp. 4

arrowpoint. (The accession number on this contentious point is 1, suggesting that it was in the Beaubien Sny Magill collection. It is catalogued as #3931, within the sequence (#'s 3930-33) of the triangular points from Mound 7, but is clearly marked "Md 27". Beaubien records no artifacts from Mound 27, a large bird effigy, and records no small corner notched points from Mound 7.) I tentatively assigned it to Mound 7 because of the sequencing in catalogue numbers assigned (Henning 1998: Table 4), assuming that some cataloguer had made an error and that it might belong with the Mound 7 materials. However, after careful rereading of Beaubien's published article on the mound and digesting the tenor of his considered and thoughtful reporting of triangular arrowpoints in late Woodland contexts, it is obvious that he did not knowingly recover this point from Mound 7. It is also not recorded from Mound 27 and is not mentioned from any of the other mounds at Sny Magill he investigated. Its derivation must be regarded as not known.

*Mound 24* Beaubien (1953b:61-62) describes Mound 24 as conical, 37 feet in diameter and three feet high. Pottery recovered in the mound suggests that it was constructed by middle Woodland people. Human remains consisted of only one skull cap which separated into many fragments when it was exposed, which is probably the reason Beaubien offers no estimate of age. Only pottery fragments, probably representing two jars, were recovered from the mound. These pottery fragments are listed in Table 2

*Mound 27* Beaubien (1953b:60-61) describes the remains of two individuals from Mound 27, a large bird effigy. One individual, a 9 year old child, is represented by 12 teeth, the other is an adult, represented by a metatarsus. No artifacts were recovered.

*Mound 43* Beaubien (1953b:57-60) states that he located four groups of bones in the mound. He refers to each group as a "burial." Burial one consisted of elements from three individuals, two of which had been disarticulated when buried. The third individual in this unit had been deposited while many of the bones were held in anatomical order by the remaining ligaments. Beaubien's burial 2 was a bundle burial with no evidence for articulation. Burial 3 was an articulated individual bundle burial. Burial 4 consisted of only four badly decayed long bones laid parallel and close to each other. According to Beaubien, perhaps six individuals were recovered through his excavations at Mound 43. A number of artifacts were also recovered from Mound 43. These are listed in Table 2.

// The human remains that Fisher and Schermer analyzed from Accession 5 were returned to EFMO on May 11, 1987 and have since disappeared.

**Accession 8** Accession 8 consists of skeletal remains from the Highway 76 Rockshelter (13CT231), Effigy Mounds National Monument. The remains were studied by Fisher and Schermer (1987:10-14) and included the skeletal parts of at least 13 individuals. None of the individuals was represented by a complete skeleton. Included are 1 fetus, 2 nearly newborn infants, 1 child 1-2 yrs, 1 child 4-5 years, 1 child 5-6 years, 1 child ca. 8 years, 1 female 10-12 years, 1 adult female, 1 adult male 30-35 years and 1 adult male 50+ years. No artifacts were

obviously been placed in the prehistoric past. It is difficult to locate and reach. The site was found by a climber-hiker and reported to Logan when he was Park Archeologist, the bones were subsequently removed professionally.

Most of these bones were among those returned to EFMO on May 11, 1987. Eight skull fragments (Cat #'s 4924, 4929, 4930 (2 pieces) and four additional fragments were retained by Shirley Schermer, OSA, for study of cut marks. Schermer counted a total of 420 cut marks, probably from defleshing as part of burial treatment, on these skull fragments. She returned the fragments to EFMO in February, 1990 (Appendix C).

X All of the skeletal remains in Accession 8 have since disappeared.

Accession 12 is a bundle burial recovered during excavations directed by Robert T. Bray, Park Archeologist and acquired June 20, 1957 (b(6), b(7)(C) notes, Appendix J). Assisting Bray were Ralph Blackwell, Robert Kile and (?) Dave Thompson. The burial was probably taken from Mound 2 of the Devils Den Mound Group. It was recovered from the mound in a plaster jacket and placed on display in the EFMO museum and removed from display in the early 1970s. It was transferred to the Midwest Archeological Center at some time prior to July, 1973. It has not been professionally analyzed. No artifacts were associated with the burial.

The bundle burial is currently curated at the Midwest Archeological Center. *MWAC as accession #*

Accession 13 Accession 13 consists of human skeletal remains from the New Albin Rockshelter. The remains, consisting of the nearly complete skull of an individual (probably female) of 18-20 years, were studied and reported upon by Fisher and Schermer (1987:15-18). According to their report, a game warden turned over the remains to EFMO. This may have been Robert Daubendiek of Decorah, Iowa, a game warden assigned to this district about that time, 1957. Daubendiek was a very active collector about this time who characteristically turned all skeletal material over to some official agency. No artifacts were turned in. There is no record of any associated materials.

This skull has been reburied.

Accession 14 Accession 14 consists of human remains from the Elephant Terrace, 13AM59. The bones were included in a collection of materials brought in by Wilfred D. Logan. Logan (1975:68-70) did limited tests on the Elephant Terrace village site, producing some artifacts, but his report mentions no human bone, but apparently it was included in the accession. Parts of four adults: one female 16.5-18 years, one female 40-50 years, and two elderly (over 45) males. Logan does not mention digging into a mound or mounds. I would have expected mention in his published discussion of the Elephant Terrace had he encountered human remains, so wonder at how these materials came to be associated with Accession 14. There is a large number of elements, so many that they could not have escaped notice. I do not believe that they were excavated by Logan.

*identified in the accession book as being from EIT.*

*X  
inclusion*

It is possible that these remains were actually excavated by Orr, and included for reasons unknown in the Logan accession. It was contrary to Orr's practice to retain large amounts of skeletal material from any of his excavations; however, but this seems one of few options at this time. Associated with the skeletal remains that Orr excavated (Logan 1975:67) were a finely chipped ovoid knife of a type found with local Oneota burials and a black stone ball. These items are eligible for NAGPRA may reside in the Orr collection (Accession 2). They were not so identified in the first study and are not yet included in my NAGPRA lists. #

The skeletal remains have been reburied.

**Accession 16** Accession 16 consists of skeletal remains and artifacts recovered from Mound 36 or 37 (13AM190), by Dr. H.P. Field of Decorah, Iowa, in 1928. The accession notes include in different hand from the original "also, 13AM82", which adds a bit of confusion. I have found no notes suggesting that Dr. Field excavated mounds on the Nazekaw Terrace (13AM82) and I doubt that he would have confused the materials from the two sites at the time he turned them in. Field probably applied some type of preservative to the bones; this was standard practice for him when encountered with bone in poor condition. Fisher and Schermer (1987:30-31) had very little to work with and suggest that two or three individuals are represented. Five artifacts were recovered with these skeletal materials; they are listed in Table 2.

The skeletal remains were returned to EFMO on May 11, 1987, and have since disappeared. #

**Accession 44** The entry under Accession 44 is "material stored in EFMO collections with no information, labels, etc.", which offers very little. Fisher and Schermer (1987:32-33) suggest that the minimum number of individuals is two. There are no known associated artifacts.

The skeletal remains are at the Office of the State Archeologist, Iowa, awaiting reburial.

**Accession 48** The skeletal remains included in Accession 48 were recovered between 10 July and 26 October, 1963 (Fisher and Schermer 1987:34-41), by persons not identified in the accession records. The site was investigated during the tenure of Garland Gordon as Park Archeologist; it is possible that he visited the shelter site, but I doubt that he entered the shelter. I have not visited the site, but understand that it was very difficult to attain entry due to the construction activities that had removed part of the bluff face. Robert Daubendiek, the regional game warden noted locally for his lack of fear in any situation, did visit the shelter and removed some skeletal remains as well as numerous artifacts. My brother, Darrell Henning, also gained entry with Daubendiek during this period of time. Either of them may have contributed the skeletal remains; others may have been involved as well. If any artifacts were associated, no record of those associations is extant.

Fisher and Schermer record evidence for the remains of at least eight individuals.

The remains have been reburied.

**Accession 49** Skeletal remains from the Spike Hollow Rockshelter (13AM47) may have come from excavations conducted by Wilfred D. Logan. Dr. H.P. Field and I were present for some of these tests. Although I recall Logan making field notes, these were apparently not available when Fisher and Schermer (1987:42-45) analyzed the human remains. Their report suggests that a minimum of five individuals was present, all adults. No artifacts are known to have been recovered in association with the human remains.

I was of high school age when the excavations took place, so some time has passed and recollections are dim. My recollections of Spike Hollow include one visit to the site with Ellison Orr, probably when I was in grade school and, years later, handling a sifting screen for Logan. I do not recall any human remains coming from the shelter. Those may have been recovered at a time or times when I was not present.

The human remains have been reburied.

**Accession 50** Human skeletal remains were recovered from a burial near Guttenburg, Iowa. The records sought offer no idea as to who the excavators were or who turned the remains in at EFMO. These materials were analyzed by Fisher and Schermer (1987:46-52) and are the remains of one male adult. No artifacts are known to have been associated; none are included in Accession 50.

The human remains have been reburied in an eastern Iowa cemetery. *- confirmation ?*

**Accession 51** Accession 51 consists of the remains of two individuals, a small child 1-2 years old, and an adult. The material was analyzed by Fisher and Schermer (1987:53-57). During my indiscriminate digging days, prior to 1953, I found the infant beneath a rockfall in the Quandahl shelter. I do not recall the adult bones; they could easily have come from some other location in the shelter. There were no associated artifacts.

The human remains remain at the Office of the State Archeologist, Iowa, and await reburial with other remains from the site.

**Accession 53** Accession 53 consists of burned and unburned human skeletal remains from Mound 18, 13AM207 (North Unit, EFMO). These materials were apparently recovered by authorized excavations conducted under the direction of Wilfred Husted, Archeologist, National Park Service. Elements from a minimum of three individuals, one subadult 10-15 years old and two adults were analyzed by Fisher and Schermer (1987:58-60).

The remains were returned to EFMO May 11, 1987, and have since disappeared. *X*

**Accession 56** There are no human remains in Accession 56. These materials come from Mound 42 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations, probably cleaning and restoring old relic-hunters' holes, performed under the supervision of James Mount, Park Archeologist. Two potsherds and a glass jar of red ocher

and dirt (Cat. #'s 3464-66) are included in Table 2.

**Accession 58** There are no human remains in Accession 58. These materials come from Mound 61 on Fire Point (13AM190), EFMO. They were recovered during authorized excavations performed under the supervision of Garland Gordon, Park Archeologist. One Woodland rimsherd and five small projectile points were recovered and are listed in Table 2.

**Accession 60** There are no human remains in Accession 60. These materials come from Mound 66, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One projectile point was recovered and included in Table 2.

**Accession 64** There are no human remains in Accession 64. These materials come from Mound 71, EFMO and were recovered during authorized excavations under the supervision of Garland Gordon, Park Archeologist. One bottle of large charcoal fragments was recovered. That item is included in Table 2.

**Accession 65** There are no human remains in Accession 65. These materials come from Mound 72, EFMO and were recovered during authorized excavations under the supervision of John Ingmanson, Park Archeologist. One bottle of large charcoal fragments and a bottle of soil were retained and are listed in Table 2.

**Accession 70** Accession 70 consists of human skeletal remains from the Marquette Rockshelter. The precise location and site number of this rockshelter is not known, nor is there information about the excavator or donor. The remains were analyzed by Fisher and Schermer (1987:61-69), who record a minimum of 10 individuals, 1 newborn, 1 child 1.5-2.5 years, 1 child 3-5 years, 1 child 6-7.5 years, 1 child 8-9.5 years, 1 child 10-12 years and four adults (one younger, one middle-aged, two elderly). No artifacts are known to have been associated with these remains.

The remains were reburied in eastern Iowa.

**Accession 72** Accession 72 was recovered from the surface four miles north of Harper's Ferry, Iowa. It was not analyzed by OSA, its identification and status are unknown. *meaning?*

**Accession 77** Accession 77 consists of human skeletal remains from the Karnopp Mound Group, Prairie du Chien, Wisconsin. These remains were donated by Gordon Peckham of Prairie du Chien. The excavator is not known. The skeletal remains, consisting of the partial remains of a juvenile 12 - 14 years of age, were analyzed by Fisher and Schermer (1987:70-71). Some artifacts, "ceramic sherds, chipping flakes, point" are listed in the Accession Records at EFMO.

These remains were transferred to the State Historical Society of Wisconsin in 1987 for reburial in that state (Appendix F, notes dated 3/11/96, letter Schermer to Gustin, 3/20/96)

**Accession 78** This skeletal material is from Mound 12, 13AM101, the Red House Landing Mound Group, EFMO. It was excavated by John Ingmanson, Park Archeologist, during an authorized excavation. It was accessioned in July, 1977, probably shortly after it was recovered. The bone has been analyzed by Fisher and Schermer (1987:72-75), who identified a minimum of two subadults and two adults. No artifacts were recovered in association with these remains.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared. +

**Accession 87** These skeletal remains are from an unknown location and no donor name is listed in the Accession Record. The material was analyzed by Fisher and Schermer (1987:76-78) who found elements of a minimum of two adults. No artifacts are known to have been associated.

The skeletal remains were returned to EFMO May 11, 1987, and have since disappeared.

**Accession 106** These remains were recovered through authorized excavations of Mound 33, Fire Point Site (13AM 190) by Wilfred D. Logan, Park Archeologist. The skeletal elements were analyzed by Fisher and Schermer (1987:79-85), who identified a minimum of three subadults and two adults. These remains were accompanied by artifacts, under Accession 4, which are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, but have since disappeared. 87

**Accession 109** The remains under Accession 109 consist of skeletal elements and a few artifacts that were found in an authorized excavation of Mound 38, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987:87-90), who identified elements from at least five individuals. A few Woodland tradition bodysherds were also recovered in these excavations. They are listed in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, but have since disappeared. 87

**Accession 111** The remains under Accession 111 consist of skeletal elements and one flake that were found in an authorized excavation of Mound 41, Fire Point Site (13AM190) by Garland Gordon, Park Archeologist. The human remains were analyzed by Fisher and Schermer (1987: 91). One adult individual was identified. The flake is included in Table 2.

The skeletal remains were returned to EFMO May 11, 1987, but have since disappeared. 87

**Accession 142** A few skull fragments were recovered during an exploratory test of a low rise between Mounds 91 and 89, Sny Magill Mounds (13CT18). These tests were authorized by the National Park Service through contract with Luther College, Dale R. Henning, Project Director (Henning 1989:12-14). As soon as human remains were identified, the excavation



was closed down. We had learned that the low rise was indeed created prehistorically for human interment. Most of the skull was left in place; the fragments recovered were retained. All artifacts and the skull fragments were curated at Luther College, Decorah, Iowa.

The skeletal remains are currently curated by Luther College (Appendix G).

*under accession  
& catalog # ?*

**Accession 148** The entry for Accession 148 in the Accession Book is partially incorrect through the identification of the mound investigated as Mound 68. I did the work (Henning 1991); it was Mound 43, the same mound that Beaubien excavated in 1952 (Beaubien 1953b). I had also investigated vandalism at Mounds 68 and 62; the work was done the previous year and resulted in finding no human remains. The work I was called upon to do at Mound 43 was to investigate and repair damage done by vandals that same year. I was very surprised to encounter fragments of human bone in the relic hunters' backdirt pile because Beaubien had been very thorough in his investigations of the mound. I knew that he had left some balks near the center of the mound where the damage had occurred and suspected that the hole had intruded into one of those. This possibility was investigated in the field, but all the soil appeared along the pit edges to be very unconsolidated and recently disturbed, suggesting that the vandals had intruded into Beaubien's old excavations and had encountered nothing but previously excavated soil. The bone encountered was fragmentary, but in quite good condition. Beaubien described all the bone found in 1952 as poor in condition. The presence of the bone we found remains a mystery.

The human bone found in the 1991 repair work was turned over to MWAC (Appendix G) and remains there (Appendix L).

*MWAC accession & catalog #*

## SUMMARY AND CONCLUSIONS

The study is ended, if not concluded. Tracing the derivation, curation and ultimate disposition of the human remains placed in the curatorial care of Effigy Mounds National Monument over the past four decades has proven an immensely difficult task. The records are poor and inaccurate to the degree that every number and artifact has to be checked and re-checked in order that it might be presented correctly. In some instances, I know I have failed, if only because of time and the distance of *all* the records that should be checked from my base of operations. The results are intellectually disappointing in many ways. The human remains and the associated (now, Unassociated) artifacts that I have been allowed the privilege of studying are very important; their importance significantly enhanced by the records of their excavation and curation. In some instances, these records were lost when the items were donated to EFMO, but in many others the records, even the artifacts themselves, were lost or confused by incompetent curation. Some of the worst work was apparently done by professional archeologists, not a positive commentary on our chosen field of expertise. One of the best pieces of work was done not by a professional archeologist but

Administrative Clerk at EFMO, who researched the bundle burial once on exhibit at EFMO (Appendix J). If every Accession number, every Catalogue number and every artifact

*Excellent  
idea -*

at EFMO could receive that kind of detailed attention, a host of incorrect entries and mistakes in cultural identification and object location could be corrected. There is no doubt in my mind that entry errors and poor archeological identifications lie in wait for any researcher who works with the collections in the future unless an intense effort is made to compare and integrate all the catalogues, the journals and the artifacts themselves, then prepare a master inventory that can be used. The collections constitute an absolutely invaluable research collection even at this time, but the cataloguing and records need attention. I can only hope that my own endeavors have not offered some additional elements of confusion. Great effort has been expended in trying to present the information cleanly and directly.

Accessions 1, 5, 8, 13, 14, 16, 44, 48, 49, 50, 51, 53, 70, 77, 78, 87, 106, 107, and 111 were analyzed by the Office of the State Archaeologist.

Of these, Accessions 1 and 5 were incomplete and not adequately identified to mound derivation when they were submitted to OSA. This is unfortunate in the extreme. These were professional excavations, and were the only authorized excavations ever conducted at the Sny Magill Mound Group. The problem may have been compounded by failure of the OSA human biologists to consult Beaubien's published reports, especially in the instance of his excavations of Mound 55 and 57, 13AM82. OSA did not receive all of the skeletal remains Beaubien recovered at Sny Magill. The bulk of those materials were either never turned in to EFMO or were lost after submission by Beaubien. Now, of course, we will never know.

Accession 14 is confused. Logan apparently found no skeletal remains from the Elephant Terrace where those materials are supposed to have come from. That leaves the excavations of Ellison Orr as a possible source. If they came to EFMO from Orr's work, they should have been under Accession 2. We are left in doubt of the authenticity of these remains until time can be taken to compare the OSA analysis with Orr's notes in great detail as a last resort. Any field notes taken by Logan should also be reviewed.

Of the materials analyzed by OSA, the following accession numbers have been reburied: 13, 14, 48, 49, 50, 70, 87. Skeletal remains from two sites (Accession #'s 44, 77) have not been reburied, but are held by OSA until other remains are available to be reinterred with them.

Accession #77 was analyzed by OSA, then sent to the State Historical Society of Wisconsin for reburial.

Accessions 1, 5, 16, 53, 78, 106, 109 and 111 were returned to EFMO by OSA on May 1, 1987. Accession 8 was returned on 2/28/90. All of these skeletal remains have since disappeared.

Accessions 12 and 148 are curated at the Midwest Archeological Center, Lincoln, Nebraska.

Accession 142 is curated at Luther College, Decorah, Iowa.

Accessions 2 (Cat #514) and 72 (Cat #591) are listed as deaccessioned in the 1986 list (Appendix H), but were not analyzed by OSA nor are they extant in the collections today. They must have been human bone, but there is no indication of element or other information. These items have disappeared and could not be studied. X

Artifacts once associated with skeletal remains (now, Unassociated Remains) were sought and listed in tabular form. Again, there are problems due to past curatorial practices. A copper sheet (#3234) and two antler artifacts (not catalogued, given #'s -2, -1; Table 2) apparently came from Mound 55, EFMO, but the Beaubien report combined with curational data offers reason for doubt. There is an 'extra' small corner notched projectile point from Mound 7 that was not described by Beaubien in his published report. It is attributed to Mound 27, judging from an inscription on its surface, but Beaubien reported no artifacts from that mound. There are only five copper beads from Mound 43 in the collections; Beaubien recorded 12. The pearl bead reported and illustrated from Mound 33 by Logan could not be located in the collections. There are probably other problems with the Unassociated Artifacts that could not be discerned without reference to publications. A number of authorized excavations (by Husted, Gordon, Ingmanson, Mount) have taken place that have not been formally reported on, suggesting that those reports were not regarded as a high priority, which is unfortunate. That affords the researcher with no recourse other than to notes and artifacts.

*lacking  
expert  
analysis  
interp.*

The responsibilities we have been given by NAGPRA are many and varied. One very positive result of the requirements is that we now must study the collections for which we have assumed curatorial responsibility and attempt to place the remains culturally, geographically and chronologically with the records at hand. It has afforded many professional archeologists an opportunity to try to use the results of previous curatorial practices and, in so doing, to look to ourselves and the importance to the future of how we function as stewards of the past. It is a sobering thought that has stimulated and guided significant improvements in curatorial efforts over the past few years. We can learn from the past.

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Jan,

FYI. I forwarded this message to Mike Evans and Michelle for their input. This is abit unsettling given the fact the park conducted a search for "lost or isplaced" objects some time ago. Do you suppose Henning's project loosened some stones that remained unturned? For crying out loud, why in the world would the park think they might donate it to another park? They just don't grasp the implications of their actions when dealing with collections of this sort.

Any thoughts?

Carolyn  
6.18.98

Forward Header

Subject: help  
Author: EFMO Interpretation (Butt-Arce, Mardi) at np-efmo  
Date: 6/17/98 9:35 AM

This morning Kate told me about a pipe that has been in the Superintendent's safe since April, 1997. At that time EFMO had an acting Superintendent. One day someone showed up at the park and wanted to donate this pipe, so she accepted it and put it in the safe.

A note from that acting Superintendent says:

"Loribeth Hawkeye from the Eastern Band Cherokee and Shawnee is donating a social pipe used socially in many different gatherings.

She wants to donate the pipe back to the Mother in lieu of a ceremony to cleanse the pipe because she touched the pipe in her moon.

It cannot be used by anyone else ever - therefore, she wants to give it to the pipe for display." (I think the last sentence is supposed to be "give it to the park for display")

An address in Seattle is then listed.

Kate wants to know what to do with this pipe. It's not in our Scope of Collection and we are not going to display it. What is our obligation to this type of donation? Can we give it to another park?

That's all I know about it...I've never even seen the pipe so I'm kind of in the dark. Any insight you can provide would be appreciated.

Mardi

Mardi  
EFMO 1/17/98