

#### **4a. Grant Products**

Federal funding provided under the FY 2004 Documentation award enabled us to meet our project objectives. We enhanced the accessibility of our museum inventory database, received further NAGRA training and initiated consultation with the State Museum's of New Jersey and New York. The National Park Service's support also allowed us to host an intertribal summit that produced a draft Intertribal NAGPRA Policy between the Delaware Tribe, Delaware Nation and Stockbridge-Munsee. Below is a brief summary of each achieved project objective.

**I. We created a digital database of the museum inventories received under a FY 2000**

**Documentation grant.** We first hired a Delaware tribal member, Levi Randall, to serve as our Tribal Liaison. One of his primary responsibilities was to create the digital database. Randall purchased the database software, familiarized himself with the software and entered museum records into the database daily. The digital database is now complete and includes over 7,000 separate entries. Our plan is to continue to update the digital inventory as new inventories are received.

**II. The Delaware Tribe NAGPRA Director and the Tribal Liaison traveled to the State Museums of New Jersey and New York for a NAGPRA consultation.** Work conducted under the FY 2000 NAGPRA Documentation grant found that the inventories from the State Museums of New Jersey and New York contain a substantive collection of Delaware human remains. The Project Director and the Tribal Liaison traveled to both museums in the summer of 2005 for the purpose of consultation thus completing our second objective.

**III. We arranged for and conducted an Intertribal Summit with authorized representatives from the Delaware Nation and the Stockbridge-Munsee.** We hosted an intertribal summit with representatives from the Delaware Nation and the Stockbridge-Munsee to discuss the disposition of culturally unidentifiable human remains at the New York and New Jersey State Museums. A potential Intertribal NAGPRA Policy was drafted as a primary result of our meeting.

**IV. The Delaware Tribe NAGPRA Director received training in techniques for documenting the cultural affiliation of Delaware cultural objects.** The NAGPRA Director attended two separate NAGPRA seminars. The first training session was a two day seminar entitled, "Strategies for Tribal Cultural and Historic Preservation," offered by the Falmouth Institute in Las Vegas, NV in September 2005. The second seminar completed was the National NAGPRA Program's NAGPRA Training Program held in Albuquerque, NM in November 2005.



#### **4b. Deliverables Required by Condition 16 of the Grant Agreement**

**a. Copy of any intertribal agreement developed at the Bartlesville, OK Intertribal Summit (See Appendix B)**

**b. Comprehensive report describing all consultation meetings and the intertribal summit, including a summary of results**

##### **1. Intertribal Summit, Oct. 1-3, 2004**

The Intertribal summit was held at the Delaware Community Center in Bartlesville, OK from October 1-3, 2004. **Appendix A** includes a copy of the Itinerary for the Intertribal Summit. Representatives from the Delaware Nation and the Stockbridge-Munsee were able to attend as well as elected representatives and community members from the Delaware Tribe. Important decisions were reached at the three day summit that stemmed from our discussions of culturally unidentifiable human remains. We drafted the beginnings of an intertribal policy that set forth guidelines for defining a funerary object, a protocol for the preferred care of collections and a resolution to share information about located museum collections. We also created a procedure for how to conduct shared reburials and composed strategies for dealing with the reburial of rare funerary objects. No formal decision was reached about the disposition of culturally unidentifiable objects because we all agreed that more research was needed before we could make an informed claim on such remains.

An ethnographic study of Delaware funerary practices was one suggested strategy that would enhance our ability to document the cultural affiliation of culturally unidentifiable objects. While we appreciate the information already obtained about the remains that is based on rigorous archaeological investigation, we felt that more could be learned from a descriptive, first hand account of the 20<sup>th</sup> century Delaware funerary practices. We further agreed that the Delaware Tribe would seek NAGPRA funding to create this descriptive account of Delaware funeral practices.

To ensure that our dialogue developed at the Summit continued, the Delaware Tribe began hosting monthly conference calls on the first Monday of each month with the Delaware Nation and Stockbridge-Munsee representatives. Different issues were discussed during each call but overall the conference calls were facilitating the free-flow of information on our shared documentation and repatriation projects. Participation in the conference calls as well as participation with the Delaware Tribe on NAGPRA related issues slowed and later ceased following the judicial termination of the Delaware Tribe's federal recognition in 2004.

##### **2. State Museum of New York, May 15-18, 2005**

The Project Director and Liaison arrived in Albany, NY by airplane on Sunday evening, May 15, and we traveled by taxi to our hotel at the Holiday Inn-Turf.

Monday morning we traveled by taxi into Albany and met Lisa Anderson, NAGPRA Coordinator with the State Museum at 9am. We moved into a meeting room where we were introduced to other museum staff which included George Hamell and Penny Drucker. We were provided with updated inventories, learned of the collection's characteristics and were informed on the museum's NAGPRA policies and procedures. We shared with the museum staff our interest in repatriating known Delaware human remains as well as aiding in the identification of Delaware human remains currently labeled as culturally unidentifiable or indeterminate. Documenting the



cultural affiliation of certain remains in the New York State Museum was particularly important as museum staff have an established policy for affiliating human remains that may make future repatriation efforts difficult. The New York State Museum considers human remains as "culturally unidentifiable" if they are Native American and either older than 700 years old or whose approximate date of internment has yet to be determined. Those remains whose likely racial identity and age have yet to be identified are classed as "culturally indeterminate".

We found that the museum collections contain a number of culturally unidentifiable and indeterminate human remains that were unearthed in the traditional Delaware homelands of SE New York (Lower Hudson and Upper Delaware Rivers). Only two sets of human remains and funerary objects have been identified as Delaware/Munsee by the State Museum. The Van Etten site most likely represents an early to mid 18<sup>th</sup> century Delaware cemetery along the Upper Delaware River in Orange Co and the Hurley Site is a Delaware cemetery/village site along the Esopus Creek in Ulster Co. with evidence for occupation from the Archaic to the contact period (@1650?). Both sites have human remains and associated/unassociated funerary objects from 20 or more individual burials and may have included non-Delaware people such as the Shawnee and Iroquois due to the tribally heterogeneous composition of Delaware villages during the contact period. The Van Etten Site has been thoroughly catalogued by the museum while the Hurley Site was still being processed at the time of our visit.

After being briefed on the museum's Delaware collection, we identified three possible strategies for reaching our ultimate repatriation goals. Our first option was to undertake more intensive research to uncover the cultural affiliation of the Culturally Unidentifiable and Indeterminate human remains found in the region of the Delaware homeland. This option would include possible destructive testing such as carbon-14 dating to determine the age of the remains as well as non-destructive research such as craniometric measurements to determine the most likely racial identity of the deceased. A second possibility was to initiate a Cultural Affiliation Study of the Van Etten Site to determine the tribal identity of the possible non-Delaware burials at the site. This would include archival research such as the examination of land deeds that might indicate the names and tribal identities of the original owners as well as archaeological research into the material culture (funerary objects, burial orientation and practices) that may also indicate tribal affiliation. Our final suggestion was to intensify efforts to process the Hurley Site while also conducting a Cultural Affiliation Study of the site. This would involve the museum hiring temporary staff to assist with the catalogue process and archaeological/archival research to be done by museum or tribal staff on the cultural affiliation of the site. With all three options available, the most attractive to those at the consultation seemed to be option 2, Initiate a Cultural Affiliation Study at the Van Etten site. Option 1 was the least attractive as it required possible destructive testing and option 3 seemed possible though not as easily accomplished as much of the site would have to be catalogued before a Cultural Affiliation Study and subsequent repatriation could be finalized. Also, the museum staff was enthusiastic about further research at the Van Etten Site due to the contribution that such research would provide on Delaware history.

The professionalism and collegiality of Ms. Anderson and the museum staff was comforting and should not go without record. After we clarified our three options, we then moved to a lengthy guided tour of the Museum provided by Dr. Hamell. After our tour, we spent the rest of the afternoon viewing the museum collections of human remains and funerary objects from SE New York. Prior to our arrival, we had asked to see the site reports and excavation notes as well as the funerary objects from each site. Lisa Anderson graciously provided all records and fully disclosed all known information about each site. George Hamell and Penny Drucker were available throughout our entire visit to answer any questions and provided much needed technical information about Delaware archaeology in the region. The funerary objects, site reports/notes



and information given by museum staff presented us a clear picture of the museum's collection. It seems that we may be able to culturally identify some of the human remains labeled as culturally unidentifiable while others that lack funerary objects and are likely very old (over 2,000 years) may not be identifiable. We also took some time to look at the museum's ethnographic collection after we viewed the archaeological collection.

On Tuesday, we focused our attention on the collection from the Hurley site and began pouring over the associated funerary objects and excavation notes. We also were able to visit the New York State Archives and copy important primary resources related to 18<sup>th</sup> century Delaware history in the region. In the morning and into the early afternoon, we were shown the racks of items that have yet to be catalogued to give us a sense of the disorderly nature of the Hurley collection. We then viewed the funerary objects and excavation notes from the Hurley Site. We also discussed the museum's collection in general including the museum's position on the legality of repatriation to state recognized Indian tribes on Long Island and our previous repatriation and reburial of human remains at Ellis Island. We also informed Ms. Anderson of how we would like the human remains to be cared for while in the museum's possession. We asked that the human remains be taken out of their protective plastic bags and wrapped only in muslin cloth. Ms. Anderson indicated that she would be happy to comply with our wishes.

Our review of the Hurley site affirmed the Museum staff's interpretation. The site is comprised of burials and pits that run along a floodplain and some indication of repeated and continuous occupation. The site appears to be shallow and heavily disturbed by plowing in the field. In some cases human remains were found on the surface and remains in situ had been apparently slashed by the plow. Funerary objects were not unusual, with pottery, stone tools, flakes, animal bone and in one case a pestle and in another a shell that appears to be intentionally placed. The site was excavated periodically from 1956-1978 and notes were taken that were more rigorous than most advocational archaeologists but the collector did not make record of the site stratigraphy. The real fault to the site's excavation was in the subsequent care of the artifacts which were housed in various boxes in the landowner's garage and resulted in artifacts becoming mixed, lost and in association with contemporary items.

We returned by taxi to our Hotel on Tuesday evening and flew home from Albany, NY by airplane on Wednesday morning, May 18.

### **3. State Museum of New Jersey, July 13-16, 2005**

Our consultation with the State Museum of New Jersey was held in the summer of 2005 on July 14-15. The NAGPRA Director and Tribal Liason traveled by airplane to Philadelphia, PA and used the Subway to arrive at the Marriot Hotel in downtown Trenton, NJ on the evening of July 13, 2005. Our consultation began on the morning of July 14 with an introductory meeting with the museum staff. We were cordially welcomed and were able to consult freely with the Curator, Dr. Lorraine Williams and Museum Director, Dr. Helen Shannon as well as other specialists on staff. We were not able to tour the public archaeological and ethnographic exhibit areas due to an ongoing renovation project

During our morning meetings, Dr. Shannon provided us with an updated inventory of all human remains and funerary objects affiliated or likely to be affiliated with the Delaware Tribe. Also of interest to us were the substantial ethnographic collections compiled by Dr. Frank Speck during his work with the Oklahoma Delaware in the 1930's and 1940's. Many of Dr. Speck's items were original items or replica of items that were integral to the performance of the now moribund Delaware Big House Ceremony. On behalf of the Delaware Tribe, we informed the museum of



our wishes in regards to the proper care and respect that should be given the human remains and funerary objects while in the museum's possession. We also expressed our interest in finalizing the documentation process and urged the State Museum of New Jersey to submit a Notice of Inventory Completion on sites with known Delaware cultural affiliation so that we might begin repatriation. The museum staff was agreeable to our request and it is our hope that a notice is forthcoming.

Following our noontime break, we carefully reviewed the provided inventories of human remains and funerary objects to become familiar with the museum's collections. We learned that most of the Delaware items were excavated from habitation sites that date to the broadly defined Woodland Period (0 A.D – Contact) and that a large portion of the material was collected by Charles Philhower during his work on Delaware village sites now located in the Delaware Water Gap National Recreation Area. Based on our review, we then developed a list of questions for the museum staff. We all met again in the late afternoon to get further information about the inventory. Our first concern was about the difficulties of attributing Delaware cultural affiliation to sites from the Woodland Period. While the New York State Museum staff considered it difficult, if not impossible, to attribute cultural affiliation beyond the 13<sup>th</sup> century A.D, the New Jersey State Museum staff felt no reservations about attributing Delaware cultural affiliation to early Woodland Period sites (0-500 A.D.). Our second concern was whether or not it would be possible to include the items from the Philhower collection with an upcoming repatriation and reburial effort at the Delaware Water Gap. The Curator indicated that such an inclusion would certainly be possible if the repatriation was formally requested jointly by the Delaware Tribe, Delaware Nation and Stockbridge-Munsee and a Notice of Inventory Completion was posted. Beyond our most immediate concerns, we also discussed the significance of the Indian Site Survey in the 1930's/40's which also contributed to the museum collection. The Lernhardt Site, which was the only contact period site in the museum collection, was also described.

On Friday, July 15, we spent the entire morning viewing, documenting and photographing Delaware items in the museum collection. Prior to our arrival, the museum had compiled all of their Delaware collections, excluding human remains, and placed them in a viewing room so that we would have immediate access. We were particularly interested in the items from the Abbott Farm site as well as those sites from the Philhower collection. The Abbott Farm site is a late Archaic/Early Woodland site that appears to have been a cemetery/occupation site. A large number of burials were excavated from this location. The Philhower collection also contained a number of burials and funerary objects from sites with which we were already familiar from work with the Delaware Water Gap. Such sites included, among others, the Munsee Cemetery, Bell Browning and Medwin Knoll.

Friday afternoon was dedicated to a consultation visit with the Director of Pennsbury Manor, Doug Miller, to discuss the feasibility of using the Manor as a potential location to rebury repatriated Delaware human remains and funerary objects. A member of the Museum Staff was kind enough to drive us to the Manor, which is located across the Delaware River in Morrisville, PA. Dr. Miller gave us a tour of the Manor and offered suggestions for possible reburial sites. We photographed the potential sites and took notes on two of the most appropriate sites. The first is an existent Quaker Cemetery that dates to the 17<sup>th</sup> century. Dr. Miller explained that though everyone knows about the Cemetery, he has never known of any attempted vandalism. The second location was an open field on a short rise to the north of the Manor. This site held potential because of its high visibility throughout the Manor complex and its location on high ground overlooking the Delaware River. We resolved to take this information back to the other two Delaware tribes as a satisfying reburial site for future reburials.



A member of the museum staff returned us to our Hotel on Friday evening. We returned from Philadelphia by airplane on Saturday, July 16.

#### **4. Summary of Results**

A firm foundation for future repatriation projects was established during our consultation visits and intertribal summit. The summit resulted in a draft Intertribal Policy that included the three Delaware Tribes' shared definition of a funerary object, stipulations for the care of museum collections, a resolution to share information between the three tribes and a protocol for repatriation and reburial. During the consultation with the New York State Museum we were able to view the collections, learned of their policy for determining cultural affiliation, identified two possible contact period sites for repatriation and informed the museum of the proper care for Delaware remains. Our visit to the New Jersey State Museum was equally as productive. We were provided an updated inventory of the Delaware collection, relayed our protocol for the collections proper care and were able to view the collection. The museum's criteria for determining cultural affiliation was also discussed and we identified two large collections of Delaware human remains for a potential repatriation effort. The consultation concluded with a visit to Pennsbury Manor where we identified two locations for a possible reburial of repatriated Delaware remains.

**c. Copy of data entry screens for the NAGPRA summary and inventory database (See Appendix C)**



## **5. Differences between planned and actual grant products**

Remarkably, only two differences between planned and actual grant products occurred.

Our original goal was to have the Intertribal NAGPRA Policy signed and approved by all three Delaware tribes. Though the policy was drafted and copies were provided to all three tribes for their review and approval, the agreement was never formally signed or approved by the Stockbridge-Munsee or the Delaware Nation. We presume that the Delaware Tribe's judicial termination in 2004 played a role in our lack of continued intertribal cooperation as both the Delaware Nation and the Stockbridge-Munsee have policies limiting their work with non-recognized tribal governments.

The second difference was minor. We intended to have both the NAGPRA Director and the Tribal Liason receive NAGPRA training provided by the National Park Service in Washington D.C. The popularity of the D.C. trainings left us without a seat and scheduling conflicts and tribal policy limited the Tribal Liason's ability to travel. Thus, the Tribal Liason did not attend the NAGPRA seminars as was our initial intention and only the NAGPRA Director was able to make it for two NAGPRA training sessions, one of which was hosted by the National Park Service while the other was provided by the Falmouth Institute.



**6. Work Cost Budget (see attached for Delaware Tribe's Statement of Revenues and Expenditures in Appendix D)**

Work Cost Budget			
	Planned	Actual	Variance
Personnel and Fringe			
Benefits	\$38,378	\$32,781.25	(\$5,596.75)
Consultant Fees	\$1,200	\$16,702.24	\$15,502.24
Travel and Per			
Diem	\$16,402	\$8,401.47	(\$8,000.53)
Supplies and Materials	\$570	\$1,354.86	\$784.86
Services	\$2,100	0	(\$2,100)
Other Costs	\$3,750	\$5,001.49	\$1,251.49
<u>Indirect Costs</u>	<u>\$11,553</u>	<u>\$9,711.69</u>	<u>(\$1,841.31)</u>
Total	\$73,953	\$73,953	0



## **7. Justification for differences between planned and actual work costs**

A number of budget changes had to be made to meet our project goals. The most significant variances were in the Personnel, Consultant Fees and Travel categories and each is easily explained. During the course of the grant, the Project Director took a teaching position at Emporia State University in nearby Kansas. While he remained the Project Director throughout the duration of the grant period, it was easier for the Delaware Tribe to code his salary as a contracted consultant rather than a salaried employee. Thus, our actual expenditures in the Personnel category are \$5,596 lower than budgeted while our Consultant expenses far exceeded our original plan. The second reason for the variance in first three categories was that our actual travel needs were exactly half of what was originally considered necessary in the proposal. We had expected to require two consultation visits to each museum but only required one and only the Project Director attended NAGPRA training rather than both the Director and the Liason. As a result, our travel expenditures were only \$8,401.47 which is approximately half of our initial budget. The final justification for the extremely large discrepancy in the consultant fee category is that the funding which was not used for travel was available to pay project staff during the grant's 6 month extension, which allowed us to finalize our digital database.

Slight variances also exist in the Supplies, Services, Other Costs and Indirect Costs line items. Such discrepancies are primarily the result of the Delaware Tribe's coding and accounting procedures. Services and items initially budgeted for under the Service category were coded to either the Supplies or Other Contractual Expenditures categories by the Tribe's accounting staff. As a result, no funds were spent in the Service category while the Supplies variance is \$784.86 more than originally budgeted and the Other Contractual Expenditures was overspent by \$1251.49. The combined discrepancy for the Supplies and Other Contractual expenditures category is \$2036.35; a quantity that is almost exactly the amount originally budgeted for under Supplies.

Finally, there is a variance in the Indirect Cost category. The Delaware Tribe was able to cover \$1,841.31 worth of the originally budgeted Indirect Costs, which explains the discrepancy.