



**NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT
REPATRIATION GRANT TO TRIBES AND MUSEUMS
FINAL PROJECT REPORT**

The Final Project Report must be submitted within 90 days of the end of the grant, or within 90 days after the completion of the project work, whichever is sooner. Failure to submit a timely and acceptable Final Report places a grantee in noncompliance with the terms of the Grant Agreement, and will result in payments being withheld, or NPS may require repayment of grant funds already paid to the grantee.

Grant Number _____ - _____ - GP _____	
Name of Tribe/Museum: _____	
Contact Name: _____	Contact Number: _____
Contact Email: _____	Website: _____
Grant Period: Start date ____/____/____ End date ____/____/____	
Project Title: _____	

Answer the questions in Parts I – IV on a separate sheet of paper. Use 12-point font. Label all pages with the grant number and name of tribe/institution. (10 page maximum)

Part I. Administrative

1. List any amendments to the original Grant Agreement including extensions and/or modifications to the Scope of Work or Budget as listed in the Grant Agreement. Provide the National Park Service approval dates.

Part II. Project Description

1. Briefly summarize the results of the project accomplished under this grant.
2. Describe any differences between the planned results as listed under the Scope of Work and Deliverables in the Grant Agreement and the actual results.
3. List all key partners and participants (museums, tribes, institutions, individuals) in the grant and briefly describe their participation in the project.
4. Beyond the grants deliverables, what was the larger impact of the project on your institution/community?
5. As applicable, explain any plans for ongoing funding, expansion, modification, or replication of the project.
6. Provide any other data required by the Grant Agreement's NPS Special Condition or instructions.

Part III. Experience

Answers to the following questions will help the National NAGPRA Program improve its support to museums and tribes in their efforts to effectively meet the goals of NAGPRA.

1. Other than funding, what were the major obstacles you faced in implementing your grant?
2. Provide two specific suggestions of how the National NAGPRA Grant Program could better support your grant implementation efforts.
3. Add any additional comments/ thoughts here.

Part IV. Attachments

A. Financial Information: Please provide the original and one copy of your financial information.

1. Using the budget provided in the Grant Agreement or the approved budget modification (if applicable) submit a final Work-Cost expense report showing the budget versus actual work-costs.
2. Explain any differences between the planned and actual work-costs.
3. Attach a signed copy of the final SF 425 *Federal Financial Report*.
4. Attach a SF-270 *Request for Advance or Reimbursement* requesting your final payment.

5. If applicable, attach a SF 425 *Federal Cash Transactions Report* showing the liquidation of any cash advances.

B. Deliverables

- Include one copy of any required Deliverables as outlined in your Grant Agreement.
- If any publications were produced with the assistance of this grant, enclose **one** copy of the publication.

Part V. Statistical Information

Your responses should include only those human remains, cultural items, activities, individuals and institutions that were directly involved or impacted by grant funded activities between the project start and end dates.

Repatriation

- _____ # of human remains repatriated through the grant
- _____ # of associated funerary objects repatriated through the grant
- _____ # of unassociated funerary objects repatriation through the grant
- _____ # of sacred items repatriated through the grant
- _____ # of objects of cultural patrimony repatriated through the grant

Community Involvement

- _____ # of tribes participating in the grant
- _____ # of museums participating in the grant
- _____ # of other institutions participating in the grant
- _____ # of other individuals participating in this grant

Part VI. Activities

1. Were grant funds used for the testing or removal of contaminants from any of the human remains or cultural items repatriated under this grant? If yes, please describe.
2. Did the tribe or Native Hawaiian organization receive training on safe handling procedures for contaminated human remains or cultural items under this grant? If yes, please describe.
3. Did grant funds support your involvement in a collaborative or consortium? Yes No
4. What is the name of the collaborative/consortium? _____
5. How many tribes/museums participate in the collaborative/consortium? _____

Authorized Signature _____ Date _____

Title _____ Phone _____

Print Name _____ Email _____

The National Park Service requires the original copy of the Final Report Cover Sheet and all documentation listed under Part III Financial Information.

PLEASE NOTE: Emailed and faxed copies of the final report and administrative documents will no longer be accepted.

Address final reports to:

National Park Service
National NAGPRA Program
1201 Eye Street, NW (2253)
Washington, DC 20005
ATTENTION: NAGPRA Grants

Note: Mail delivered by the U.S. Postal Service is typically delayed by two weeks or longer, and is subject to irradiation prior to delivery. If you are mailing compact discs, photographs, booklets, or other sensitive materials, these may be damaged in the irradiation process. Please consider using a courier service for such items.

If you have any questions regarding the final report, please contact Sangita Chari, NAGPRA Grants Coordinator at 202-354-2203 or via email at NAGPRA_Grants@nps.gov.

FEDERAL FINANCIAL REPORT

(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment)			Page 1 of pages	
3. Recipient Organization (Name and complete address including Zip code)						
4a. DUNS Number		4b. EIN		5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)		6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual <input type="checkbox"/> Final
7. Basis of Accounting <input type="checkbox"/> Cash <input type="checkbox"/> Accrual						
8. Project/Grant Period From: (Month, Day, Year)				To: (Month, Day, Year)		9. Reporting Period End Date (Month, Day, Year)
10. Transactions						Cumulative
(Use lines a-c for single or multiple grant reporting)						
Federal Cash (To report multiple grants, also use FFR Attachment):						
a. Cash Receipts						
b. Cash Disbursements						
c. Cash on Hand (line a minus b)						
(Use lines d-o for single grant reporting)						
Federal Expenditures and Unobligated Balance:						
d. Total Federal funds authorized						
e. Federal share of expenditures						
f. Federal share of unliquidated obligations						
g. Total Federal share (sum of lines e and f)						
h. Unobligated balance of Federal funds (line d minus g)						
Recipient Share:						
i. Total recipient share required						
j. Recipient share of expenditures						
k. Remaining recipient share to be provided (line i minus j)						
Program Income:						
l. Total Federal program income earned						
m. Program income expended in accordance with the deduction alternative						
n. Program income expended in accordance with the addition alternative						
o. Unexpended program income (line l minus line m or line n)						
11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged
					g. Totals:	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation:						
13. Certification: By signing this report, I certify that it is true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)						
a. Typed or Printed Name and Title of Authorized Certifying Official					c. Telephone (Area code, number and extension)	
					d. Email address	
b. Signature of Authorized Certifying Official					e. Date Report Submitted (Month, Day, Year)	
					14. Agency use only:	

Standard Form 425
OMB Approval Number: 0348-0061
Expiration Date: 10/31/2011

Paperwork Burden Statement

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0060), Washington, DC 20503.

From: <Sangita_Chari@nps.gov>
To: <bobermey@emporia.edu>
Date: 9/1/2009 11:25 AM
Subject: NAGPRA Repatriation Grant

Congratulations, this email is to inform you that the Delaware Tribe's FY2010 Repatriation Grant to the National NAGPRA program has been approved by NAGPRA staff in the amount of \$5,018. Final budgets are determined by the grants administrator and any adjustments will be reflected in your grant agreement. As you know, this grant will be processed the first week of the 2010 fiscal year, the first week of October 2009. Typically it takes 6-8 weeks for the National Park Service to process your request. Due to the time sensitive nature of repatriations, we understand that many or all expenses will likely be incurred prior to that time. This email authorizes you to charge any expenses listed on the grant and incurred from September 1, 2009 onward to the grant.

If you have any questions, please feel free to contact me. Best of luck with the repatriation,

Sangita

Sangita Chari
Grants Coordinator
National NAGPRA Program
National Park Service
1201 Eye Street, NW
8th Floor (2253)
Washington, DC 20005

Tel: 202-354-2203
Fax: 202-371-5197

What's New: National NAGPRA & NPI will host two trainings in Chicago, September 14-16: Determining Cultural Affiliation and NAGPRA Grants. Financial assistance is available for some museums and all Indian tribes and NHO's to attend. For more info see <http://www.nps.gov/history/nagpra/TRAINING/INDEX.htm>



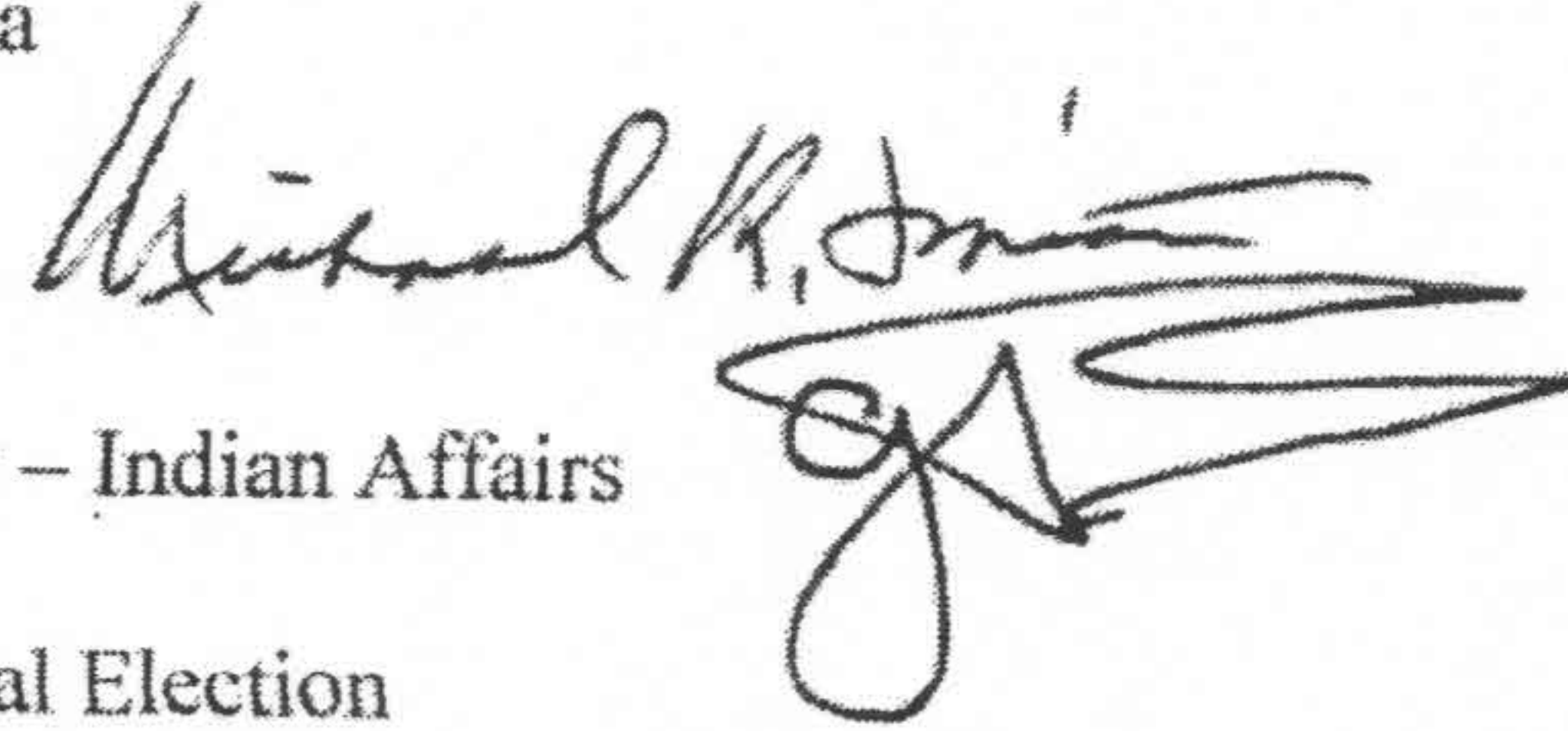
United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUL 28 2009

Memorandum

To: Regional Director, Eastern Oklahoma
Through: ~~Acting~~ Director, Bureau of Indian Affairs
From: Principal Deputy Assistant Secretary – Indian Affairs
Subject: Delaware Tribe of Indians' Secretarial Election



We received the certified results of the Secretarial election held May 26, 2009, in which the Delaware Tribe of Indians voted to adopt a constitution reorganizing under the Oklahoma Indian Welfare Act.

The election was carried out properly in accordance with applicable Federal regulations and we accept the resulting adoption of the Tribe's constitution. As the ratification of the constitution was approved prior to the election, we will not provide an additional certificate of approval.

The election has the effect of restoring a direct Federal relationship with the Tribe consistent with the Memorandum of Agreement entered into with the Cherokee Nation on October 24, 2008. The Delaware Tribe of Indians will now be included in the next list of recognized tribal entities published in the *Federal Register*.

Should you have any questions, please contact the Division of Tribal Government Services at (202) 513-7640.



National NAGPRA

**Native American Graves Protection and Repatriation Act
FY 2009 Grant Proposal**

Please read the **Grant Guidelines** carefully before completing this form. Electronic versions of the guidelines and this application form are available by contacting the National NAGPRA Program at (202) 354-2203, or via e-mail at NAGPRA_Grants@nps.gov. The guidelines and application forms are also available on-line at www.nps.gov/nagpra/GRANTS.

SECTION 1. PROJECT INFORMATION

A. **Name of Applicant:** Delaware Tribe of Indians

B. **Amount Requested** \$14994.58

C. **Has your institution ever received a NAGPRA grant?** Yes ☒ No ☐

D. **Type of FY2009 Grant Proposal:** *(Check one only)*

- | | |
|-------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> | 1. Tribal Applicant—Consultation/Documentation Award (not to exceed \$90,000) |
| <input checked="" type="checkbox"/> | 2. Tribal Applicant—Repatriation Award (not to exceed \$15,000) |
| <input type="checkbox"/> | 3. Museum Applicant—Consultation/Documentation Award (not to exceed \$90,000) |
| <input type="checkbox"/> | 4. Museum Applicant—Repatriation Award (not to exceed \$15,000) |

E. **Provide expected date for repatriation to occur** *(Repatriation Grants only)* September 14-18, 2009

F. **Project Title:** Repatriation and Reburial of Human Remains and Funerary Objects from the Delaware Water Gap National Recreation Area

G. **Project Summary:** Summarize your project in the space provided in an abstract (no more than 200 words). What do you expect to achieve with this grant? Include the number of notices and/or repatriations expected to result from this grant. Indicate if this is a collaborative project and list key partners.

Federal funding is requested to help support the Delaware Tribe of Indians effort to repatriate and rebury the physical Remains of 42 individuals and 5,642 Funerary Objects (Associated and Unassociated) excavated from the Delaware Water Gap National Recreation Area (DEWA) that are culturally affiliated with the Delaware Tribe, Delaware Nation and the Stockbridge Munsee Community. The planned repatriation will be carried out in collaboration between the Delaware Tribe, the Stockbridge-Munsee Community, the Delaware Nation, the Delaware Water Gap National Recreation Area (DEWA), and the National Park Service Northeast Region (NPS-NE). DEWA posted a Notice of Inventory Completion and Notice of Intended Disposition in the Federal Register in November 2008 (see attached). The reburial site has already been identified and is located within the Delaware Water Gap National Recreation Area. What remains is for the three culturally affiliated tribes to rebury the remains in the already determined location that is near the original internment sites. The requested funds will provide for a delegation of 12 tribal representatives from the Delaware Tribe of Indians to attend the reburial and carry out the appropriate observances that are scheduled to take place from September 14-18, 2009.

H. **Native American Collection:**

(Museum Applicants Only) – provide approximate numbers for items in the following categories)

- | | |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="text"/> | Total number of items in your Native American collection |
| <input type="text"/> | Number of Indian tribes, Alaska Native villages or corporations, or Native Hawaiian organizations possibly affiliated with items in your collection. |

_____ Number of Native American human remains in your possession or control (specify if these are individual bones or sets of remains).

I. CONTACT INFORMATION

Name of Tribe or Museum: Delaware Tribe of Indians

Address: 170 NE Barbara St

City: Bartlesville State: OK Zip 74006 Website: <http://www.delawaretribe.org/> Phone (918) 336-5272 Fax (918) 337-6591

J. Project Authorizer: This person also signs the SF-424.

Name: Jerry Douglas

Title: Chief

Form of Address: Mr. E-Mail Address: jldouglas2005@yahoo.com

Telephone: (918) 336-5272 Fax: (918) 337-6591

K. Project Director: Who will be responsible for the programmatic management of the grant?

Name: Brice Obermeyer

Title: Delaware Tribe NAGPRA Representative

Form of Address: Dr. E-Mail Address: bobermey@emporia.edu

Telephone: (918) 335 - 7026 Fax: (620) 341-5785

L. Fiscal Management: Who will be responsible for the fiscal management of the grant?

Name: Mary Jo Peterson

Title: Chief Financial Officer

Form of Address: Mrs./Ms. E-Mail Address: mpeterson@delawarechild.org

Telephone: (918) 337-6597 Fax: (918) 337-6591

M. Grant Administrator: Who is the main point of contact regarding this grant?

Name: Brice Obermeyer

Title: Delaware Tribe NAGPRA Representative

Form of Address: Dr. E-Mail Address: bobermey@emporia.edu

Telephone: (918) 335 - 7026 Fax: (620) 341-5785

SECTION 2. PROJECT DESCRIPTION

All applicants must submit narrative responses to the questions on the following pages. Section 2 should not exceed five pages.

A. GRANT OBJECTIVES.

GOALS AND OBJECTIVES. The goal of the NAGPRA Grants program is to increase the number of successful repatriations through support for projects that increase the ability of tribes, museums and federal agencies to facilitate consultations with each other. What are the goals and objectives of this project? How is this project consistent with the goal of the NAGPRA Grants Program? If applicable, describe how your project impacts current trends in NAGPRA as listed on page 5 in the Grant Guidelines.

GOALS AND OBJECTIVES. Describe your capacity to achieve the objectives. How does this project relate to your tribe/museum's strategic plan and/or goals?

I. The primary objective is to rebury the physical remains of 42 individuals and the 5,642 funerary objects (associated and unassociated) that were excavated from historic and prehistoric sites within the Delaware Water Gap National Recreation Area (DEWA). Within this larger objective, the four objectives listed below will allow us to complete our primary objective. Objective 1D is the only objective that will require NAGPRA funding in order to be completed.

1A. Preparation of the remains: The physical remains and funerary objects associated with each individual will be separately wrapped in cloth by the DEWA and NMNH staff. The unassociated funerary objects will be individually wrapped in cloth as well. The cloth used to wrap the remains will be provided at no cost by the DEWA. Once the physical remains and funerary objects are properly prepared, objective A will be complete.

1B. Preparing and securing the reburial: The staff at the DEWA and the NPS-NE will work collaboratively to fund and ensure the security of the reburial that will take place within the boundaries of the Delaware Water Gap National Recreation Area. The location of the reburial has already been identified through previous consultations. The location is near a large archaeological site and the Delaware Water Gap staff has already performed an archaeological survey and environmental assessment to ensure that there are no archaeological or environmental resources that will be impacted by the reburial. Once the necessary security measures are funded by DEWA and NPS-NE, objective B will be complete.

1C. Providing the tobacco and cedar: The Delaware Tribe will provide the items necessary for the reburial ceremony. The necessary items include tobacco and cedar that will be used during the reburial. During the reburial, participants may leave some tobacco in the grave. The Delaware Tribe will provide a large pouch of tobacco. Following the reburial, a feast will be held at the reburial site and a portion of cedar will be needed to smoke off the participants following the feast. The Delaware Tribe will then provide the cedar necessary to perform the smudge following the feast. After the tobacco and cedar have been provided by the Delaware Tribe, objective C will be complete.

1D. Delegation from the Delaware Tribe to travel to DEWA to observe the reburial: NAGPRA funds are requested only to support the travel for a delegation from the Delaware Tribe to attend the reburial and oversee the final internment. The appropriate tribal representatives, including the Delaware Tribe NAGPRA Director, members of the Delaware Tribe's Elder's Committee and Cultural Preservation Committee and representatives from the Delaware Tribal Council will travel to DEWA to attend the reburial ceremony. Once the delegation from the Delaware Tribe has attended the reburial, objective D will be complete.

Section 2. Project Description (continued)

B. SCOPE OF WORK.

GRANT OBJECTIVES. Describe the activities that the participants will carry out. Explain how the activities support the grant objectives.

PARTNERSHIPS. Provide a comprehensive list of project partners (includes all museums or tribes targeted for consultations, members of a collaborative, federal agency or university partners, etc.). Please note guidelines for letters of commitment on page 12 of the Grant Guidelines.

DELIVERABLES. List and describe all project deliverables for this grant.

EVALUATION. How will the activities be assessed and monitored? Be specific.

- I. The primary objective is to rebury the physical remains of 42 individuals and the 5,642 funerary objects (associated and unassociated) that were excavated from historic and prehistoric sites within the Delaware Water Gap National Recreation Area (DEWA). Within this larger objective, the four objectives listed below will allow us to complete our primary objective.

1A. Preparation of the remains: Representatives from the DEWA will prepare the human remains and funerary objects (associated and unassociated) for reburial. Such preparations will include identifying each individual set of human remains and the funerary objects (if any) that are associated with each. Fortunately the identification of individual human remains and their associated funerary objects has already been completed in the cultural affiliation studies performed by DEWA. Thus, the DEWA staff will use the cultural affiliation study to identify the individual remains with their associated funerary objects and will then wrap each set of remains in cloth. The unassociated remains will be similarly identified and wrapped separately in cloth. The wrapped remains will then be stored at the Schoolhouse curation facility at the DEWA where they will remain until the morning of the reburial (see Objective 1D). Once the bundles are prepared, objective 1A will be completed.

1B. Preparing and securing the reburial: DEWA has agreed to provide the machinery and technical support needed to carry out the following security measures. Using a DEWA owned backhoe, a burial pit will be dug to a depth of six and ½ feet. The burial pit will be large enough to accommodate the wrapped remains that will have already been prepared under objective 1A. A footing will then be carved out along the perimeter of the burial pit at a depth of three feet above the bottom of the burial pit. Following the reburial, DEWA staff will fill in the burial pit with dirt up to level with the footing. Then, a concrete slab will be poured on the footing at a depth of three feet. Above the concrete slab, three feet of dirt will be piled on top and then a security mesh will be placed over the entire filled in burial. Dirt and a layer of sod will then be placed on top of the mesh as needed to bring the top of the burial pit flush with the surrounding area and conceal the location of the grave. With the machinery and technical support provided by the DEWA, the NPS-NE has agreed to fund the purchase of the concrete slab and security mesh. After the burial pit has been prepared, and the concrete slab and security mesh have been purchased and put into place, objective B will be complete.

1C. Providing the tobacco and cedar: The Delaware Tribe NAGPRA Representative will ensure that the tobacco and cedar are provided. After the tobacco and cedar have been purchased and provided, objective C will be complete.

1.D. Delegation from the Delaware Tribe to travel to DEWA to observe the reburial: The Delaware Tribe NAGPRA Representative and 11 Delaware Tribal members selected from the Delaware Tribal Council, the Cultural Preservation Committee and the Elder's Committee will travel to the DEWA to participate in the reburial ceremony. The roundtrip travel will take place over 5 days. On the first day, attendees will fly from Tulsa, OK and arrive in Newark, NJ. Once in Newark, NJ, attendees will utilize two rental minivans (7 passengers each) to drive to Bushkill, PA where the attendees will be staying in a local motel for the next four nights. On the second day, attendees will make preparations for the reburial. The preparations will include the final planning that will need to be made for the reburial, a consultation between the three delegations and the DEWA, NPS-NE and NMNH staff and an opportunity for those who wish to stay with the prepared remains for an all night wake that is

traditionally held on the night before the internment. On the early morning of the third day, the tribal delegations will meet the DEWA and NPS-NE staff at the DEWA headquarters at 8am. Two men from each tribal delegation will then travel to the Schoolhouse curation facility to gather and transport the remains to the reburial site while the remaining delegations and DEWA and NPS-NE staff will drive the one hour trip to the reburial location. The burial pit will have already been prepared by DEWA staff as stipulated in Objective 1B. The remains will then be placed by two male representatives in the grave pit and the opportunity will be provided for traditional observances to be held. Such observances include the offering of tobacco and earth to the deceased and the offering of prayer and final words at the burial. Following the reburial, the delegations and invited guests will gather for a feast following the burial at the Bushkill Meeting Center. On the fourth day, the tribal delegations will ensure the security of the reburial site. Such security measures will include having a tribal representative present while the DEWA staff fill-in the burial with earth and cap the burial with cement and security mesh as stipulated in Objective 1B as well as a final consultation with the DEWA staff concerning our instructions for how to maintain the perpetual security of the site. On the fifth day, the Delaware Tribal delegation will return home using the two rented mini-vans to drive to Newark, NJ and then fly back to Tulsa, OK. When the NAGPRA Director and the 11 Delaware Tribal members have traveled to DEWA, observed the reburial and returned home, Objective 1D will be completed.

Partnerships:

Stockbridge-Munsee Community
Delaware Nation
Delaware Water Gap National Recreation Area
National Park Service, Northeast Region

Deliverables: A Final Project Report will be the deliverable for this grant. The Final Project Report will describe the actions that were taken during the course of the project in order to meet the primary goal of reburying the 42 individuals and 5,642 funerary objects (associated and unassociated) at the reburial site located within the Delaware Water Gap National Recreation Area. The Final Project Report will also describe the actions taken to complete each of the four secondary goals (1A, 1B, 1C, and 1D) that will be necessary in order to complete our primary objective.

Evaluation: The activities will be assessed and monitored by the Delaware Tribe NAGPRA Representative who will be an integral component to the completion of the primary and four secondary objectives. As the primary objective of this project is to rebury the collection, the project's success will be assessed based on the Delaware Tribe's ability to continue working collaboratively with tribal representatives, DEWA and NPS-NE staff to complete the reburial of the collection. Once the collection is repatriated and reburied in a way that is considered acceptable by all parties involved, the project will be considered complete. The evaluation of the project's primary and four secondary activities will be included in the Final Project Report that is to be the deliverable for this grant.

SECTION 2. PROJECT DESCRIPTION (CONTINUED)

- C. PERSONNEL QUALIFICATIONS.** Who will carry out the Project Activities? List all project personnel, including consultants. Describe their responsibilities and the amount of time each will dedicate to the project. If particular individuals have already been identified to participate in the project, briefly describe how their experience and qualifications are appropriate to successfully achieve the stated objectives. If you plan to hire new personnel or consultant(s), describe the criteria that will be used to competitively select these individuals or services. *All Federal grants require consultants to be competitively selected* (see page 10 of the guidelines for more information). **Attach brief resumes** (no more than 2 pages) for project personnel and position descriptions for personnel still to be chosen.

NAGPRA Representative, Brice Obermeyer: The Delaware Tribe NAGPRA Director will work in collaboration with the NAGPRA Representatives from the Stockbridge-Munsee Community and the Delaware Nation as well as the with the DEWA staff to carry out the reburial. The Delaware Tribe NAGPRA Director will work with the DEWA staff to identify the individuals who will prepare the remains for reburial (Objective 1A). The NAGPRA Director will also work with DEWA and NPS-NE staff to ensure the security of the reburial (Objective 1B). The NAGPRA Director will also purchase or provide the necessary tobacco and cedar needed for the reburial (Objective 1C). The NAGPRA Directory will work with the Delaware Tribal Council to identify the 11 members who will attend the reburial and will then make the travel arrangements for those selected to attend (Objective 1D).

Brice Obermeyer has the experience and qualifications that are appropriate to fully achieve the stated objectives. Brice has served as the Delaware Tribe NAGPRA Representative since 2003 and in such capacity has written and was awarded two past NAGPRA Repatriation grants for the Delaware Tribe. He has planned and coordinated previous repatriations and reburials for the Delaware Tribe including a reburial of remains found on Ellis Island. He has also worked with museums on documenting their Delaware collections in order to begin the process of repatriation. Brice has also worked with collaborating agencies on the protection of historic tribal cemeteries in Oklahoma and Kansas. He holds a Ph. D. in Anthropology and has attended several NAGPRA training seminars on behalf of the Delaware Tribe.

SECTION 2. PROJECT DESCRIPTION (CONTINUED)

- D. SCHEDULE OF COMPLETION.** Grant projects must be completed within 18 months. Using a table or outline format, list each objective, the major activities needed to complete the objective, and key dates associated with each activity.
- I. Primary Objective:** The primary objective is to rebury the physical remains of 42 individuals and the 5,642 funerary objects (associated and unassociated) that were excavated from historic and prehistoric sites within the Delaware Water Gap National Recreation Area. The reburial will take place from September 14-18, 2009 and will take place at an already identified site in within the Delaware Water Gap National Recreation Area. Within this primary objective, there are several activities listed below that will allow us to complete our primary objective.
- 1A. Preparation of the remains:** The 42 individuals and the 5,642 funerary objects will be prepared for reburial. Each individual will be wrapped separately and will be wrapped with their associated funerary objects. Unassociated funerary objects will be wrapped individually but without the human remains with which they were once associated. The preparation of the remains will be completed by DEWA staff and is already underway. All of the remains will be wrapped over the course of the summer and will be completed by September 14, 2009.
- 1B. Preparing and securing the reburial:** The DEWA staff will prepare the burial pit into which the wrapped remains will be reburied and the NPS-NE will purchase the cement slab and security mesh that will protect the reburial from being disturbed. The DEWA staff will dig the burial pit prior to the reburial, or at least by September 14, 2009. The reburial pit will then be covered by a tarp to protect the pit from rain and erosion. The NPS-NE will purchase the cement slab and security mesh over the course of the summer so that such necessary materials will be available to DEWA staff by September 14, 2009. After the reburial ceremony is finished on September 16, 2009, DEWA staff will fill in the burial pit and install the security measures beginning on September 16, 2009 and the secured reburial will be completed by September 17, 2009. A representative from the Delaware Tribe will be present during such final security preparations that will take place on September 16-17, 2009.
- 1C. Providing the tobacco and cedar:** The Delaware Tribe NAGPRA Director will provide the tobacco and cedar that will be needed for the reburial ceremony. The tobacco and cedar will be procured by September 14, 2009.
- 1D. Delegation from the Delaware Tribe to travel to DEWA to observe the reburial:** The Delaware Tribe NAGPRA Representative and 11 Delaware Tribal members selected from the Delaware Tribal Council, the Cultural Preservation Committee and the Elder's Committee will travel to the Delaware Water Gap National Recreation Area to participate in the reburial ceremony. The roundtrip travel and reburial will take place from September 14-18, 2009. Prior to the reburial, the Delaware Tribe NAGPRA Representative will make all travel arrangements for the 12 member tribal delegation. Such arrangements will include the use of NAGPRA Repatriation funds to purchase the airfare, rental mini-vans, fuel and hotel rooms needed to accommodate the delegation. The Delaware Tribal NAGPRA representative will also work with the Delaware Tribe's accounting staff to use NAGPRA Repatriation funds to reimburse members of the delegation for mileage to and from the airport in Tulsa, OK, parking fees at the airport and per diem costs during the five days of travel. The airfare, rental mini-vans and hotel accommodations will be secured by September 1, 2009 while the mileage, parking fees and per diem costs will be reimbursed to each participant following the reburial after each participant provides the accounting staff with the necessary odometer readings and receipts. Such reimbursements will be completed by October 30, 2009. After all of the reimbursements are complete by October 30, 2009, the proposed NAGPRA funded project will be completed.

SECTION 3. BUDGET

Each cost item should clearly show how the total charge for that item was determined. If more space is needed, please follow the budget format on a separate sheet of paper. All major costs should be listed in budget categories similar to those listed below, and all cost items should be explained in the Budget Summary and Justification (Section 4). **Note:** Activities involving Smithsonian Institution museums are not eligible for funding under NAGPRA grants.

A. SALARIES AND WAGES. Provide the names and/or titles of key project personnel.						
Name/Title of Position	Full Time Monthly Salary	% FTE	No. of Months	Grant Funds	Match / Cost Share (if any)	Total
	\$			\$	\$	\$
	\$			\$	\$	\$
	\$			\$	\$	\$
	\$			\$	\$	\$
	\$			\$	\$	\$
Subtotal				\$ 0	\$ 0	\$ 0

B. FRINGE BENEFITS. If more than one rate is used, list each rate and the wage or salary base.				
Rate	Salary or Wage Base	Grant Funds	Match / Cost Share (if any)	Total
% of	\$	\$	\$	\$
% of	\$	\$	\$	\$
% of	\$	\$	\$	\$
% of	\$	\$	\$	\$
Subtotal		\$ 0	\$ 0	\$ 0

C. CONSULTANT FEES. This should include payments for professional and technical consultants participating in the project.. Do NOT include stipends for elders here (see section F).					
Name and type of Consultant	# of Days	Daily Rate of Compensation	Grant Funds	Match / Cost Share (if any)	Total
		\$	\$	\$	\$
		\$	\$	\$	\$
		\$	\$	\$	\$

		\$	\$	\$	\$
		\$	\$	\$	\$
Subtotal			\$ 0	\$ 0	\$ 0

D. TRAVEL AND PER DIEM. For each trip, indicate the number of persons traveling, the total days they will be in travel status, and the total subsistence and transportation costs for that trip. Per diem rates shall not exceed maximum Federal rates. To view current Federal per diem rates, visit <http://www.gsa.gov/Portal/gsa/ep/channelView.do?pageTypeId=8203&channelId=-15943> and follow the links to per diem information.

From/To	No. of People	No. of Travel Days	Per diem (lodging and meals) per person per day	Total per diem (lodging and meals) for this trip	Transportation costs (airfare and mileage) per person	Total transportation costs (airfare and mileage) for this trip	Grant Funds	Match / Cost Share (if any)	Total
Tulsa, OK to Newark, NJ	12	5	\$ 109	\$ 6540	\$500 + \$49.50 = \$549.50	\$ 6594	\$ 13134	\$ 0	\$ 13134
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
			\$	\$	\$	\$	\$	\$	\$
Subtotal							\$ 13134	\$ 0	\$ 13134

E. SUPPLIES AND MATERIALS. Include consumable supplies and materials to be used in the project and any items of expendable equipment, i.e., equipment costing less than \$5,000 or with an estimated useful life of less than two years. Equipment costing more than that should be listed in Other Costs (Category G, below).

Item	# of items	Cost	Grant Funds	Match / Cost Share (if any)	Total
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
			\$	\$	\$
Subtotal			\$ 0	\$ 0	\$ 0

F. OTHER COSTS. List stipends (including stipends for elders), equipment items in excess of \$5,000, and other items such as duplication and printing costs, equipment rental and other services not previously listed. Clearly define each item -“Miscellaneous,” “overhead,” and “contingency” are not acceptable line items.

Item	Cost	Grant Funds	Match / Cost Share (if any)	Total
Grant Writing Stipend	\$ 380	\$ 380	\$ 0	\$ 380
Two Rental Mini-vans	\$ 790.58	\$ 790.58	\$ 0	\$ 790.58
Tulsa Airport Parking Fees for 12 personal vehicles	\$ 600	\$ 600	\$ 0	\$ 600
Fuel (Roundtrip between Newark and DEWA)	\$ 90	\$ 90	\$ 0	\$ 90
	\$	\$	\$	\$
Subtotal		\$ 1860.58	\$ 0	\$ 1860.58

G. INDIRECT COSTS. If indirect costs will be charged to the grant, complete the table below with your current approved indirect cost rate and the direct costs it will be applied to. Copies of your most recent indirect cost rate must be attached if indirect costs will be requested. **Only indirect costs up to 25% of the grant may be charged to the grant. ***

* The Direct Costs from sections A -- F to which the indirect cost rate applies	Current Approved Indirect Cost Rate Percentage (%)	Indirect Cost Rate Amount	Indirect Cost Rate Amount Charged to Grant
\$		\$	\$

* NOTE: Indirect costs may be applied only to eligible direct costs in accordance with your approved rate. Most indirect cost rates exclude contracts or pass-through funds above a certain amount. Please check your rate and apply it accordingly.

BUDGET SUMMARY			
Category	Grant Funds	Match / Cost Share (if any)	Total
A. Salaries and Wages	\$ 0	\$ 0	\$ 0
B. Fringe Benefits	\$ 0	\$ 0	\$ 0
C. Consultant Fees	\$ 0	\$ 0	\$ 0
D. Travel and Per Diem	\$ 13134.00	\$ 0	\$ 13134.00
E. Supplies and Materials	\$ 0	\$ 0	\$ 0
F. Other Costs	\$ 1860.58	\$ 0	\$ 1860.58
G. Indirect Costs	\$ 0	\$ 0	\$ 0
TOTAL PROJECT COSTS	\$ 14994.58	\$ 0	\$ 14994.58

Budget Justification. In the space below, provide a brief narrative justification of all cost items listed in the budget. Be specific and explain why these items are necessary to accomplish the grant objectives. If the project involves travel costs, include a brief summary of each trip (for example, Project Director and two tribal elders will fly from Hometown to Someplace and stay three days to examine Someplace Museum's collection). If purchasing or renting computer equipment or other large budget items, justify their necessity and provide cost quotes for each such item. Use an additional sheet, if necessary.

Travel and Per Diem:

To complete Objective 1D, it will be necessary for a delegation of tribal representatives from the Delaware Tribe to travel to Delaware Water Gap National Recreation Area. The delegation will include 12 representatives that will include the Delaware Tribe NAGPRA Representative and members of the Delaware Tribal Council, Delaware Cultural Preservation Committee and the Delaware Elders Committee. The Per Diem and Lodging budget is based on the standard federal per diem rate for Bushkill, PA which is \$70 for lodging and \$39 for meals and incidental expenses giving a total of \$109 per day. In order to provide for 12 people for 5 days will require a total of \$6540 for Per Diem and Lodging. The transportation costs were estimated based on the average costs of roundtrip flights available from Tulsa International Airport to Newark Liberty International Airport. The costs ranged from \$275/per person (Continental Airlines) to \$1200/per person (Delta Airlines) with the more expensive flights having a nonrefundable option. A mid-range estimate of \$500 was chosen as this amount would likely give us the needed flexibility in flight times and refundable status for making airline reservations for a delegation of 12 people. The additional \$49.50 is the amount needed per person to reimburse our 12 person delegation for roundtrip mileage from Bartlesville, OK (location of the Delaware Tribal Headquarters) to the Tulsa International Airport which is a total of 85 miles. The federal mileage rate is \$.585/mile giving a total of \$49.50 for mileage per person. The total transportation costs for the delegation's roundtrip travel to Bushkill, PA thus equals a total of \$549.50 per person and a total transportation cost for 12 people is \$6594.00. The total travel (\$6594) and per diem (\$6540) expenses are thus projected to require a total of \$13134.00. NAGPRA funding is thus requested to provide for the costs associated with such travel in order to complete Objective 1D.

Other Costs:

Grant Writing Stipend: The Delaware Tribe has agreed to provide the NAGPRA Representative with a stipend of \$380 to compensate his work on preparing the NAGPRA Repatriation Grant and carrying out the major objectives listed in the grant including his consultation with DEWA and NPS-NE staff in preparation for the reburial as well as his work in making the travel arrangements for the tribal delegation to attend the reburial.

Two Rental Minivans: The delegation's travel to the DEWA for the reburial will also include the need to rent two minivans from a rental company at the Newark Liberty International Airport. Dollar currently offers two Dodge Caravan Minivans that accommodate 7 passengers each and the budgeted estimate is based on their current rates. Each Minivan can be rented for 5 days at a rate of \$395.29 each giving a total of \$790.58 for two minivans for five days.

Tulsa Airport Parking Fees: NAGPRA funding is also requested in order to reimburse members of the Delaware Tribal delegation for any costs associated with parking at the Tulsa International Airport. On-site covered parking is available at the airport for \$10/day and funding is requested to cover the costs for 12 personal vehicles to park for 5 days giving a total of \$600 for parking.

Gas: Funding for gas to fuel the minivans will also be necessary. The budgeted estimate is based on the cost for the two minivans to travel from Newark Liberty International Airport to Bushkill, PA then to the Reburial Site and back to Bushkill, PA and then return to Newark International Airport. The total roundtrip between Newark International Airport to Bushkill, PA is 165 miles and it is an additional 60 miles roundtrip travel from Bushkill, PA to the reburial site giving a total travel of 225 miles per minivan and 450 miles in all. Each minivan can travel 15 miles per gallon and thus it will be necessary to consume 15 gallons for each minivan and 30 gallons for both to complete the travel. At an estimated rate of \$3.00/per gallon for fuel and a total of 30 gallons to be consumed, the estimate for the fuel cost for one minivan is \$45 and for both minivans the fuel cost is estimated at \$90.

SECTION 5. STATUS OF CURRENT OR RECENT NAGPRA GRANT(S)

Please indicate whether or not the Tribe or Museum has a current or recent NAGPRA Grant.

- _____ 1. No. We do not currently have a NAGPRA Grant, nor did we complete a NAGPRA grant in the past five years.
- _____ 2. Yes. We currently have a NAGPRA Grant.
- ___X___ 3. Yes. We completed a NAGPRA Grant within the past five years.

If you answered "yes," to any of the above, list each grant number and provide an overview of each grant's activities and accomplishments. Specify the number of repatriation claim letters, Notices of Inventory Completion, Notices of Intent to Repatriate, or completed repatriations resulting from the grant and provide details. If additional space is needed, attach no more than one page.

2004 National Park Service: NAGPRA Documentation Grant (Grant Number 40-04-GP-366): Funding awarded to digitize the existing Delaware NAGPRA inventory, provide NAGPRA training for tribal staff, hold an Intertribal NAGPRA Summit and begin consultation with the State Museums of New York and New Jersey.

Federal funding provided under the FY 2004 Documentation award enabled us to create a digital database of over 7,000 Delaware affiliated items held by museums and federal agencies (Objective I). Based on our previous knowledge of our existing inventories, we also used NAGPRA funding to initiate consultation with the State Museum's of New Jersey and New York (Objective II). NAGPRA support also allowed our staff to attend two NAGPRA training seminars (Objective III) and allowed us to host an intertribal summit that produced a draft Intertribal NAGPRA Policy between the Delaware Tribe, Delaware Nation and Stockbridge-Munsee (Objective IV). Each of the above projects is described in greater detail below.

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. 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.

IV. 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. An Intertribal NAGPRA Policy was also drafted as a primary result of our meeting.

2004 National Park Service: NAGPRA Repatriation Grant (40-04-GP-62R): Funding awarded for the reburial of Delaware remains held at the State Museum of Pennsylvania.

While still federally recognized, the Delaware Tribe actively pursued the documentation and repatriation of the Delaware affiliated collection held at the State Museum of Pennsylvania. NAGRPRA funds supported our travel to the State Museum to aid in the documentation process which resulted in the posting of the Notice of Inventory Completion for the collection. A site at Pennsbury Manor in Southeastern Pennsylvania was identified through consultations with tribal elders and park staff and we prepared for the expected reburial. However, our proposed reburial was thwarted when federal recognition was judicially terminated in November 2004 and the collection remains at the State Museum of Pennsylvania.

SECTION 6. SUPPORTING DOCUMENTS

All applicants must submit certain documents in support of the project proposal. **Supporting documents should be attached to the application form in the order listed on the Proposal Cover Sheet.**

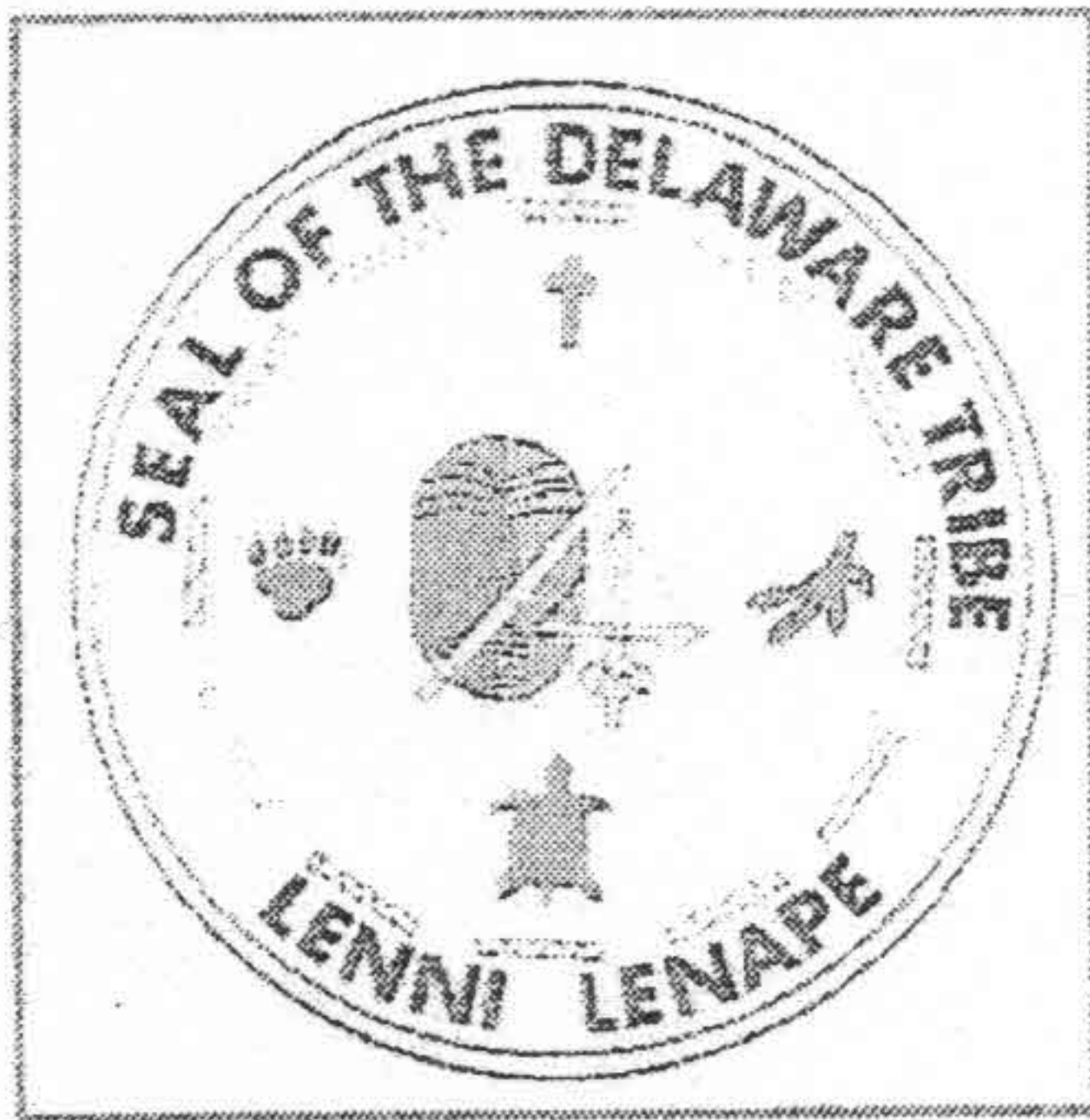
- 1) Tribal Resolution confirming support for the application and authorizing implementation of the grant project, if funded. (For Tribes only)
- 2) Letters of commitment from Indian tribes, Alaska Native villages or corporations, or Native Hawaiian organizations that will participate in the proposed project, stating specific responsibilities. See page 12 of the grant guidelines for required letters of commitment.
- 3) Letters of commitment from museums that will participate in the project, stating specific responsibilities. (If travel to museums is planned, commitment letters from these museums are required). See page 12 of the grant guidelines for additional requirements for letters of commitment.
- 4) Brief resumes (maximum 2 pages) for all project personnel or detailed positions descriptions and search criteria if personnel have not yet been chosen. (Grantees must document a competitive selection process for hiring of personnel.)
- 5) Letters of commitment from project consultants, if they have been selected.
- 6) Cost estimates for equipment costing over \$5,000 each to be purchased (for both "Grant Funds" and "Match/Cost Share").
- 7) The following documents are required for Repatriation Grants only:
 - ☒ Copies of Federal Register Notices
 - ☒ Letter documenting transfer of control from museum to tribe
- 8) Consultation/Documentation Grants may add additional support materials (**no more than 5 pages total**)

SECTION 7. CURRENT INDIRECT COST RATE AGREEMENT

If indirect costs will be claimed from the grant, include a letter from the cognizant Federal agency approving the rate to be used and the period for which the rate is approved.

SECTION 8. APPLICANT'S MOST RECENT AUDITOR'S REPORT LETTER

Attach the letter that accompanies your most recent Independent Auditor's Report. DO NOT attach the complete audit.



DELAWARE TRIBE OF INDIANS

170 NE BARBARA

BARTLESVILLE, OK 74006

918-336-5272 Fax 918-337-6591

Resolution of the Delaware Tribe of Indians Resolution Number 09 - 08

WHEREAS, The Delaware Tribal Council is authorized by the Constitution and By-Laws of the Delaware Tribe to represent and act on all matters that concern the general welfare of the Tribe, and,

WHEREAS, the Delaware Tribal Council adopts this resolution authorizing the submission of a grant proposal to the National Park Service for repatriating and reburying the human remains and funerary objects of our Delaware ancestors excavated from the Delaware Water Gap National Recreation Area; and,

WHEREAS, The Delaware Tribal Council is aware of the need to to finalize this repatriation project that has been ongoing since 1995;

NOW THEREFORE BE IT RESOLVED THAT, The Delaware Tribe of Indians authorizes the submission of the grant proposal and attachments entitled, **2009 NAGPRA Repatriation Grant** to the National Park Service for approval.

CERTIFICATION

I hereby certify that the foregoing was considered by the Tribal Council of the Delaware Tribe of Indians and adopted this 25th day of June, 2009 with a vote of 7 yes, and 0 no, and 0 abstaining.

Jerry Douglas, Chief

Verna Crawford, Secretary

Stockbridge-Munsee Tribal Historic Preservation Office

Sherry White - Tribal Historic Preservation Officer

W13447 Camp 14 Road

P.O. Box 70

Bowler, WI 54416

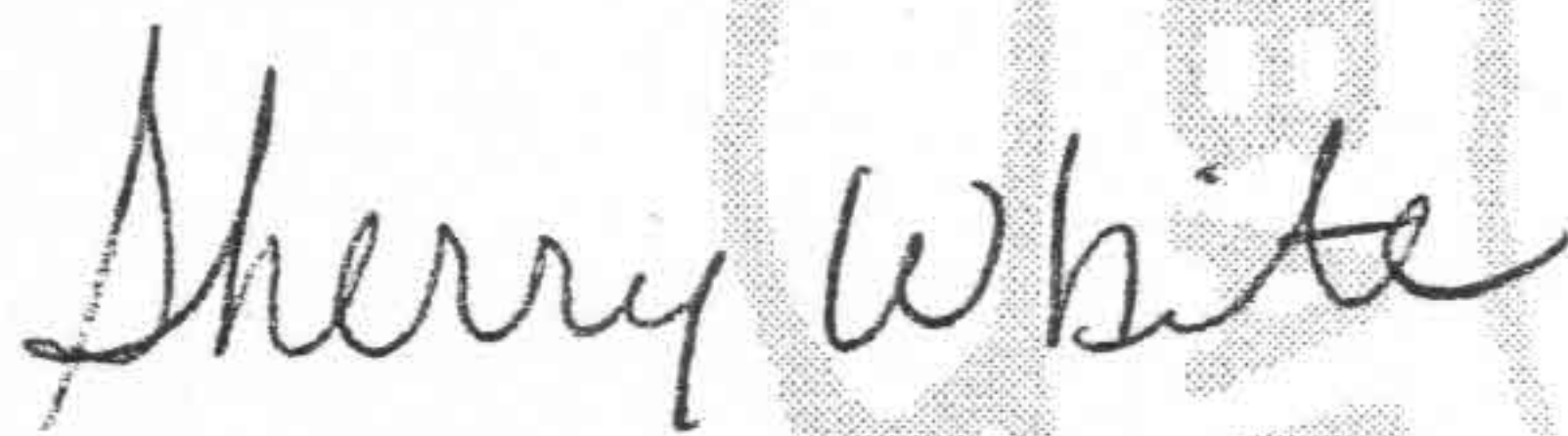
June 15, 2009

National Park Service
National NAGPRA Program
1849 C Street, NW (Org. Code 2253)
Washington, D.C. 20240
ATTENTION: NAGPRA Grants

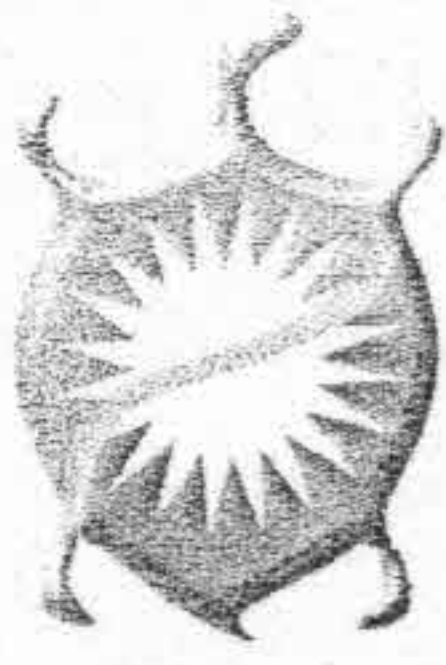
To Whom It May Concern:

I hereby acknowledge my awareness of the Delaware Tribe of Indians' FY 2009 NAGPRA Repatriation Grant proposal. We continue to work jointly with the Delaware Tribe on the repatriation and reburial of Delaware human remains and funerary objects excavated from the Delaware Water Gap National Recreation Area and we feel that such NAGPRA funding will be helpful to us in our efforts to finalize this long-standing reburial project.

Sincerely,



Sherry White
NAGPRA Representative
Stockbridge-Munsee Community of Mohican Indians of Wisconsin
P.O. Box 70
Bowler, WI 54416



The Delaware Nation
Cultural Preservation Department
31064 State Highway 281
Anadarko, OK 73005
Phone (405) 247-2448 Fax (405) 247-8905

NAGPRA ext. 1182
MUSEUM ext. 1181
LIBRARY ext. 1196

Sangita Chari
National Park Service
1201 "Eye" Street NW (8th Floor)
Washington, DC 20005
ATTENTION: NAGPRA Grants

Dear Sangita Chari:

The Delaware Nation is aware of the Delaware Tribe of Indians FY 2009 NAGPRA Repatriation Grant Proposals. The Delaware Nation will be working with the Delaware Tribe of Indians on the repatriation and reburial of Lenape human remains and funerary objects excavated from the Delaware Water Gap National Recreation Area. NAGPRA funding will ensure completion of this long standing joint endeavor between the tribes and the NPS.

Sincerely,

Tamara Francis
Cultural Preservation Director
The Delaware Nation
31064 State Highway 281
Anadarko, OK 73005

June 25, 2009



United States Department of the Interior

NATIONAL PARK SERVICE
Delaware Water Gap National Recreation Area
Bushkill, Pennsylvania 18324

IN REPLY REFER TO:

H2215 (DEWA NAGPRA)

JUN 18 2009

National Park Service
National NAGPRA Program
1849 C Street, NW (Org. Code 2253)
Washington, D.C. 20240

ATTENTION: NAGPRA Grants Committee

NAGPRA Grants Committee Members:

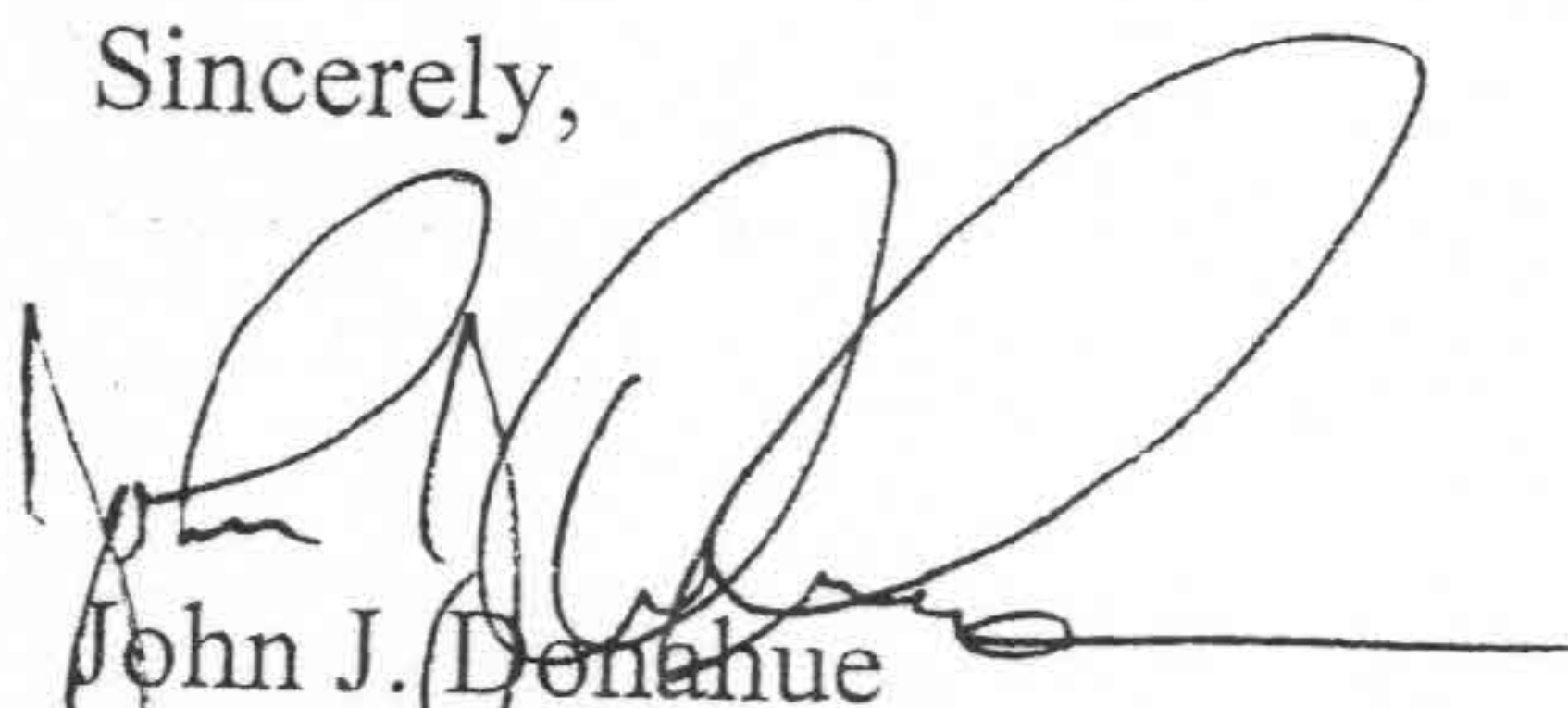
As the Designated Federal Official for Native American Graves Protection and Repatriation Act (NAGPRA) compliance at Delaware Water Gap National Recreation Area (DEWA), I have received a joint claim for remains and funerary objects published in the Federal Register on November 5, 2008 (Volume 73, Number 215, Page 65876-65879). The Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge-Munsee Tribe have made this joint claim as culturally affiliated, federally-recognized tribes. I will honor the claim and de-accession NAGPRA inventory items to the three federally-recognized tribes.

They have also each applied for 2009 NAGPRA Repatriation Grants to assist their tribal members in attending repatriation and reburial of the claimed remains. Our park wholeheartedly supports and encourages these applications.

We continue to work jointly with the Delaware Nation, Delaware Tribe, and Stockbridge-Munsee Tribe on the repatriation and reburial of Delaware and proto-Delaware human remains and funerary objects excavated from the Delaware Water Gap National Recreation Area (DEWA) and we feel that such NAGPRA funding will be helpful to us in our efforts to finalize this long-standing reburial project.

Please copy this letter, as needed, and include it in each of their application packages.

Sincerely,



John J. Donahue
Superintendent

VITA
June 2009

Brice Obermeyer
Department of Sociology, Anthropology
and Crime and Delinquency Studies
Emporia State University
Butcher Education Center, Rm 115D
1200 Commercial St
Emporia, KS 66801

Work: (620) 341-5724 or
(918) 335-7026
bobermey@emporia.edu

Education

2003 Ph.D. University of Oklahoma, Department of Anthropology

Current Employment

2004 – Present Assistant Professor, Emporia State University, Department of
Sociology, Anthropology and Crime and Delinquency Studies

2003 – Present NAGPRA Representative, Delaware Tribe of Indians

Publications on the Delaware Tribe

2007 Salvaging the Delaware Big House Ceremony: The History and Legacy of Frank Speck's
Collaboration with the Oklahoma Delaware. *In* Histories of Anthropology Annual, Vol.
3. Regna Darnell and Frederic Gleach, eds. Pp. 184-198. Lincoln: University of
Nebraska Press.

2009 Forthcoming Publications on the Delaware Tribe

2009 Delaware Tribe in a Cherokee Nation. Lincoln: University of Nebraska Press.

2009 Delaware Country: Landscape and Identity in an Oklahoma Indian Tribe. Plains
Anthropologist.

Awards for Presentations on the Delaware Tribe

2005 "That Missing, he was wearing cowboy boots": contextualizing symbols
of race in eastern Delaware expressive culture. Faculty Poster Award Recipient,
Research and Creativity Forum, Emporia State University.

Invited Lectures on the Delaware Tribe

- 2007 The Delaware Tribe in a Cherokee Nation: A case study of a misacknowledged Indian Tribe. Presentation for the Archaeological Association of South Central Kansas (AASCK).

Manuscripts in Preparation on NAGPRA

- n.d. NAGPRA and the Concept of "Culture" in American Anthropology: Where Theory and Practice Fail to Merge (Article length manuscript co-authored with Peter Jones)

Book Reviews on the Delaware Tribe

- 2008 Long Journey Home: Oral Histories of Contemporary Delaware Indians. Edited by James Brown and Rita Kohn. University of Indiana Press: Bloomington. Journal of Folklore Research Reviews. Posted June 5, 2008, Available online at <http://www.indiana.edu/~jofr/review.php?id=630>.

Grants Awarded for work with the Delaware Tribe

- 2006 Emporia State University: Faculty Research and Creativity Grant (\$7,643): Funding to support the transcription, coding and analysis of 40 recorded interviews with Delaware tribal members.
- 2004 National Park Service: NAGPRA Documentation Grant (\$73,953): Proposal for funds to digitize the existing Delaware NAGPRA inventory and begin consultation with the State Museums of New York and New Jersey.
- 2004 National Park Service: NAGPRA Repatriation Grant (\$14,961): Funding awarded by the National Park Service for the reburial of Delaware remains held at the State Museum of Pennsylvania.
- 2004 Institute of Museum and Library Services: Native American Library Services (\$6,000): Funding to support the Delaware Tribal Library.
- 2003 National Park Service: NAGPRA Repatriation Grant (\$14,426): Funding awarded by the National Park Service for the reburial of Delaware remains discovered on Ellis Island.

Professional Training in NAGPRA, Grants and Historic Preservation

- 2008 National NAGPRA Program's NAGPRA Training
- 2007 National Science Foundation Regional Grants Conference
- 2005 National NAGPRA Program's NAGPRA Training
- 2005 Strategies for Tribal Cultural and Historic Preservation

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, Delaware Water Gap National Recreation Area.

In 1967, human remains and funerary objects were removed from the Miller Field site during legally authorized excavations by Seton Hall University, under the direction of Herbert Kraft. According to Kraft, the human remains were reburied in the early 1990s prior to the promulgation of NAGPRA's regulations. The two unassociated funerary objects are one celt and one stone. The burial style and diagnostic artifacts date the burial to the Minisink phase (A.D. 1350–1650) of the Late Woodland Period.

In 1971, human remains and funerary objects were removed from the Harry's Farm site in Warren County, NJ, during legally authorized excavations by Seton Hall University, under the direction of Herbert Kraft. According to Kraft, the human remains were reburied in the early 1990s prior to the promulgation of NAGPRA's regulations. The two unassociated funerary objects are an incised pipe and a plain pipe. The Munsee Incised style pipe dates the burial to the Minisink phase (A.D. 1350–1650) of the Late Woodland Period.

In 1974, funerary objects were removed from the Minisink site, in Sussex County, NJ, during legally authorized excavations by Seton Hall University, under the direction of Herbert Kraft. According to Kraft, the human remains were not removed from their burial pits. The 11 unassociated funerary objects are 1 ceramic pot, 1 pestle fragment, 1 celt fragment, 1 milling stone, 2 biface fragments, 3 rim sherds, 1 teshoa, and 1 brass chain. Burial styles and diagnostic artifacts date two burials to the Late Woodland Period (A.D. 1000–1650), while the brass chain dates a third burial to the Historic Period (circa A.D. 1650–1750).

In 1972, human remains and funerary objects were removed from the Pahaquarra site in Warren County, NJ, during legally authorized excavations by Seton Hall University under the direction of Herbert Kraft. According to Kraft, the human remains were reburied in the early 1990s prior to the promulgation of NAGPRA's regulations. The 61 unassociated funerary objects are 2 pots, 38 black glass beads, 4 blue faceted glass beads, 1 red glass bead, 2 shell beads, 2 brass wire hair spools, 2 gunflints, 6 flintlock trade gun fragments, 1 clasp knife, 1 bag of botanical remains, and 2 metal

fragments. Burial styles and pottery types date two burials to the Late Woodland Period (A.D. 1000–1650). The remaining items date to the Historic Period (circa A.D. 1650–1750).

Archeological evidence indicates that the people living in the Upper Delaware Valley formed a distinct group with unique stone tool traditions, bone tool traditions, settlement patterns, subsistence patterns, and burial styles as early as A.D. 1000. Continuity in the artifact styles, settlement and subsistence patterns, and burial styles suggest that the same people remained in the Upper Delaware Valley throughout the Late Woodland Period (A.D. 1000–1650) and into the Historic Period (circa A.D. 1650–1750). Historic records from the 17th and 18th centuries refer to the inhabitants of the Upper Delaware Valley, including Delaware Water Gap National Recreation Area, as "Minisink." Linguistic information indicates that these people spoke the Munsee dialect of the Delaware language. During consultations, tribal representatives identified the Upper Delaware Valley as the traditional territory of the Lenape, or the Delaware-speaking people. As their traditional lands were sold, some Munsee people joined the Stockbridge Mohican in Massachusetts and New York and remained with them when the community resettled in Wisconsin. Today their descendants are members of the Stockbridge Munsee Community. Other Munsee people joined communities comprised primarily of people from southern New Jersey and Pennsylvania who spoke the Unami dialect of the Delaware language. These combined Delaware communities migrated westward and eventually settled in Oklahoma. Today descendants of these communities are members of the Delaware Nation, Oklahoma or the Delaware Tribe of the Cherokee Nation, Oklahoma.

Officials of Delaware Water Gap National Recreation Area have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 76 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual. Officials of Delaware Water Gap National Recreation Area also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the

Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community, Wisconsin.

When consultation was initiated, the Delaware Tribe of Indians, Oklahoma was Federally recognized. During consultations, court rulings determined that the Delaware Tribe cannot be recognized as a separate entity from the Cherokee Nation and that the Delaware Tribe is a part of the Cherokee Nation, Oklahoma. A cultural affiliation determination was made with the Delaware Tribe of Indians, Oklahoma prior to its change in status. This determination is reflected in this notice as affiliation with the Cherokee Nation, Oklahoma.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact John J. Donahue, Superintendent, Delaware Water Gap National Recreation Area, River Road, Bushkill, PA 18324, telephone (570) 426–2418, before December 5, 2008. Repatriation of the unassociated funerary objects to the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community, Wisconsin may proceed after that date if no additional claimants come forward.

Delaware Water Gap National Recreation Area is responsible for notifying the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community, Wisconsin that this notice has been published.

Dated: October 21, 2008

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–26353 Filed 11–4–08; 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, Delaware Water Gap National Recreation Area, Bushkill, PA

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 U.S. Department of the Interior, National Park Service, Delaware Water Gap National Recreation Area, Bushkill, PA. The

York and remained with them when the community resettled in Wisconsin. Today their descendants are members of the Stockbridge Munsee Community. Other Munsee people joined communities comprised primarily of people from southern New Jersey and Pennsylvania who spoke the Unami dialect of the Delaware language. These combined Delaware communities migrated westward and eventually settled in Oklahoma. Today descendants of these communities are members of the Delaware Nation, Oklahoma or the Delaware Tribe of the Cherokee Nation, Oklahoma.

Officials of Delaware Water Gap National Recreation Area have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of 42 individuals of Native American ancestry. Officials of Delaware Water Gap National Recreation Area also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 5,566 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. Lastly, officials of Delaware Water Gap National Recreation Area 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 objects and the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community, Wisconsin.

A cultural affiliation determination was made with the Delaware Tribe of Indians, Oklahoma prior to its change in status. This determination is reflected in this notice as affiliation with the Cherokee Nation, Oklahoma.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact John J. Donahue, superintendent, Delaware Water Gap National Recreation Area, River Road, Bushkill, PA 18324, telephone (570) 426–2418, before December 5, 2008. Repatriation of the human remains and associated funerary objects to the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community, Wisconsin may proceed after that date if no additional claimants come forward.

Delaware Water Gap National Recreation Area is responsible for notifying the Cherokee Nation, Oklahoma; Delaware Nation, Oklahoma; and Stockbridge Munsee Community,

Wisconsin that this notice has been published.

Dated: October 21, 2008.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. E8–26350 Filed 11–4–08; 8:45 am]

BILLING CODE 4312–50–S

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–582]

In the Matter of: Certain Hydraulic Excavators and Components Thereof; Notice of Commission Decision To Review the Administrative Law Judge's Final Initial Determination; Schedule for Written Submissions

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the presiding administrative law judge's ("ALJ") final initial determination, Order No. 67, in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT:

Jonathan Engler, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–3112. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On August 29, 2006, the Commission instituted this investigation, based on a complaint filed by Caterpillar Inc. ("Caterpillar") of Peoria, Illinois. The complaint alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain hydraulic excavators and components thereof by reason of

infringement of U.S. Trademark Registration No. 2,140,606, U.S. Trademark Registration No. 2,421,077, U.S. Trademark Registration No. 2,140,605, and U.S. Trademark Registration No. 2,448,848. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The complaint named twenty one (21) firms as respondents. The complainant requested that the Commission issue a general exclusion order and cease and desist orders. Two respondents, Barkley Industries LLC ("Barkley") and Frontera Equipment Sales ("Frontera"), have been found in default. Nineteen respondents have been terminated as a result of settlement agreements.

On September 9, 2008, the ALJ issued an initial determination, Order No. 67, granting Caterpillar's motion for summary determination concerning violations of section 337. He also issued his recommended determinations on remedy and bonding. No petitions for review of the initial determination were filed. On October 8, 2008, the Commission extended the date for determining whether to review the initial determination until October 30, 2008.

The Commission has determined to review Order No. 67. The Commission requests briefing by the parties, based on the record, on the following questions:

1. Has Caterpillar rebutted the presumption established by the U.S. Court of Appeals for the Federal Circuit in *Bourdeau Bros., Inc. v. International Trade Commission*, 444 F.3d 1317 (Fed. Cir. 2006), that its official U.S. dealers had apparent authority to sell gray market hydraulic excavators in the United States? If not, could Caterpillar rebut the presumption if given the opportunity to supplement its motion for summary determination of no violation? For background concerning the Commission's analytical approach in gray market cases, please refer to the Commission Opinion in *Certain Agricultural Vehicles and Components Thereof*, Inv. No. 337–TA–487 (Aug. 25, 2008).

2. Did any of Caterpillar's overseas affiliates, subsidiaries, and/or official dealers sell gray market hydraulic excavators to or in the United States? If so, has Caterpillar rebutted, or if given the opportunity could Caterpillar rebut, the presumption that these dealers had actual or apparent authority to sell these excavators in the United States? Also, how many gray market sales were made to or in the United States by