The (Un)Settling of America:

Science and the Search for the First Americans

Robert Vernon Davis

Dissertation submitted to the faculty of the Virginia Polytechnic Institute and State University in partial fulfillment of the requirements for the degree of

Doctor of Philosophy

in

Science and Technology Studies

Ellsworth R. Fuhrman

Ann F. Laberge

Peter L. Schmitthenner

Matthew R. Goodrum

October 17, 2011

Blacksburg, Virginia

Keywords: science, myth, first Americans, archaeology, anthropology

Fair Use Evaluation Documentation

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 6 Map of possible migration routes to New World   (page 34)

Copyright Holder: Citation provided in footnote on page 34

Publication Status: N/A

Publisher: Citation provided in footnote on page 34

Place of Publication: Citation provided in footnote on page 34

Publication Year: Citation provided in footnote on page 34

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 7 Map of coastal boundaries during last ice age   (page 50)

Copyright Holder: Citation provided in footnote on page 50

Publication Status: N/A

Publisher: Citation provided in footnote on page 50

Place of Publication: Citation provided in footnote on page 50

Publication Year: Citation provided in footnote on page 50

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 8   Clovis stone tools   (page 63)

Copyright Holder: Citation provided in footnote on page 63

Publication Status: N/A

Publisher: Citation provided in footnote on page 63

Place of Publication: Citation provided in footnote on page 63

Publication Year: Citation provided in footnote on page 63

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011   _____

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 9 Map of Blackwater Draw, NM area (page 64)

Copyright Holder: Citation provided in footnote on page 64

Publication Status: N/A

Publisher: Citation provided in footnote on page 64

Place of Publication: Citation provided in footnote on page 64

Publication Year: Citation provided in footnote on page 64

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 11   1933 Clovis expedition party   (page 66)

Copyright Holder: Citation provided in footnote on page 66

Publication Status: N/A

Publisher: Citation provided in footnote on page 66

Place of Publication: Citation provided in footnote on page 66

Publication Year: Citation provided in footnote on page 66

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 13. 1960s Isequilla's Pit at Blackwater Draw, NM excavation site (page 74)

Copyright Holder: Citation provided in footnote on page 74

Publication Status: N/A

Publisher: Citation provided in footnote on page 74

Place of Publication: Citation provided in footnote on page 74

Publication Year: Citation provided in footnote on page 74

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

[✓]

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

[✓]

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

[✓]

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average "Fairness Level," Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 15   Map of Monte Verde, Chile area (page 81)

Copyright Holder: Citation provided in footnote on page 81

Publication Status: N/A

Publisher: Citation provided in footnote on page 81

Place of Publication: Citation provided in footnote on page 81

Publication Year: Citation provided in footnote on page 81

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: _____ October 28, 2011 _____

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 16 Human footprint at Monte Verde, Chile excavation site (page 85)

Copyright Holder: Citation provided in footnote on page 85

Publication Status: N/A

Publisher: Citation provided in footnote on page 85

Place of Publication: Citation provided in footnote on page 85

Publication Year: Citation provided in footnote on page 85

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature:

Date of Signature: October 28, 2011

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 22 Ignatius Donnelly Egyptian and Central American skulls (page 100)

Copyright Holder: Citation provided in footnote on page 100

Publication Status: N/A

Publisher: Citation provided in footnote on page 100

Place of Publication: Citation provided in footnote on page 100

Publication Year: Citation provided in footnote on page 100

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

✓

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

✓

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: _____ October 28, 2011 _____

Fair Use Evaluation Documentation

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 23 Ancient Chinese map of area surrounding China   (page 108)

Copyright Holder: Citation provided in footnote on page 108

Publication Status: N/A

Publisher: Citation provided in footnote on page 108

Place of Publication: Citation provided in footnote on page 108

Publication Year: Citation provided in footnote on page 108

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
> will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 24 Ancient human remains found in North America   (page 127)

Copyright Holder: Citation provided in footnote on page 127

Publication Status: N/A

Publisher: Citation provided in footnote on page 127

Place of Publication: Citation provided in footnote on page 127

Publication Year: Citation provided in footnote on page 127

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the Purpose and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the Nature of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the Amount of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature:

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 25   John Wells Foster comparison of skulls   (page 131)

Copyright Holder: Citation provided in footnote on page 131

Publication Status: N/A

Publisher: Citation provided in footnote on page 131

Place of Publication: Citation provided in footnote on page 131

Publication Year: Citation provided in footnote on page 131

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 26   John Wells Foster primitive skull (page 132)

Copyright Holder: Citation provided in footnote on page 132

Publication Status: N/A

Publisher: Citation provided in footnote on page 132

Place of Publication: Citation provided in footnote on page 132

Publication Year: Citation provided in footnote on page 132

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the Purpose and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair ✓   Unfair

Describe the Nature of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair ✓   Unfair

Describe the Amount of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair ✓   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 27   Nebraska primate tooth   (page 141)

Copyright Holder: Citation provided in footnote on page 141

Publication Status: N/A

Publisher: Citation provided in footnote on page 141

Place of Publication: Citation provided in footnote on page 141

Publication Year: Citation provided in footnote on page 141

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

✓

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

✓

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: _____ October 28, 2011 _____

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 28 February 19, 1925 *New York Times*, Nebraska tooth (page 142)

Copyright Holder: Citation provided in footnote on page 142

Publication Status: N/A

Publisher: Citation provided in footnote on page 142

Place of Publication: Citation provided in footnote on page 142

Publication Year: Citation provided in footnote on page 142

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   ☑   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   ☑   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   ☑   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 29 World map of mtDNA and NRY DNA distribution (page 151)

Copyright Holder: Citation provided in footnote on page 151

Publication Status: N/A

Publisher: Citation provided in footnote on page 151

Place of Publication: Citation provided in footnote on page 151

Publication Year: Citation provided in footnote on page 151

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: _____ October 28, 2011 _____

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 30 Comparison of Asia-New World migration chronologies (page 154)

Copyright Holder: Citation provided in footnote on page 154

Publication Status: N/A

Publisher: Citation provided in footnote on page 154

Place of Publication: Citation provided in footnote on page 154

Publication Year: Citation provided in footnote on page 154

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   ☑   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   ☑   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   ☑   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

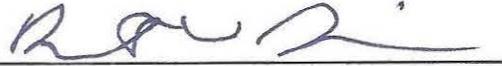Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 31 Joseph Greenberg's distribution of New World languages (page 160)

Copyright Holder: Citation provided in footnote on page 160

Publication Status: N/A

Publisher: Citation provided in footnote on page 160

Place of Publication: Citation provided in footnote on page 160

Publication Year: Citation provided in footnote on page 160

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature:

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 32 University of Georgia isotope analysis price list   (page 169)

Copyright Holder: Citation provided in footnote on page 169

Publication Status: N/A

Publisher: Citation provided in footnote on page 169

Place of Publication: Citation provided in footnote on page 169

Publication Year: Citation provided in footnote on page 169

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 33   Clovis Gravel Pit, 1933   (page 172)

Copyright Holder: Citation provided in footnote on page 172

Publication Status: N/A

Publisher: Citation provided in footnote on page 172

Place of Publication: Citation provided in footnote on page 172

Publication Year: Citation provided in footnote on page 172

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED [+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used [+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 34 Map of Western Hemisphere excavation sites (page 180)

Copyright Holder: Citation provided in footnote on page 180

Publication Status: N/A

Publisher: Citation provided in footnote on page 180

Place of Publication: Citation provided in footnote on page 180

Publication Year: Citation provided in footnote on page 180

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution
will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

✓

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

✓

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 43   Kennewick man skull   (page 234)

Copyright Holder: Citation provided in footnote on page 234

Publication Status: N/A

Publisher: Citation provided in footnote on page 234

Place of Publication: Citation provided in footnote on page 234

Publication Year: Citation provided in footnote on page 234

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

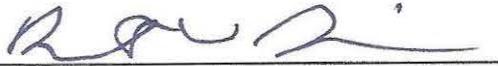Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 44 Map of location of Kennewick man skull discovery   (page 236)

Copyright Holder: Citation provided in footnote on page 236

Publication Status: N/A

Publisher: Citation provided in footnote on page 236

Place of Publication: Citation provided in footnote on page 236

Publication Year: Citation provided in footnote on page 236

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse.

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 45 Patrick Stewart and reconstructed Kennewick man (page 245)

Copyright Holder: Citation provided in footnote on page 245

Publication Status: N/A

Publisher: Citation provided in footnote on page 245

Place of Publication: Citation provided in footnote on page 245

Publication Year: Citation provided in footnote on page 245

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 46 Chief Black Hawk and son-John Jarvis painting   (page 246)

Copyright Holder: Citation provided in footnote on page 246

Publication Status: N/A

Publisher: Citation provided in footnote on page 246

Place of Publication: Citation provided in footnote on page 246

Publication Year: Citation provided in footnote on page 246

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 47   Map of Tarim Basin mummies excavation site   (page 250)

Copyright Holder: Citation provided in footnote on page 250

Publication Status: N/A

Publisher: Citation provided in footnote on page 250

Place of Publication: Citation provided in footnote on page 250

Publication Year: Citation provided in footnote on page 250

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

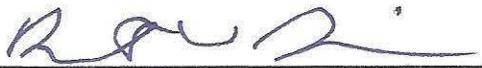Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse.

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Figure 48 Beauty of Xiaohe (page 251)

Copyright Holder: Citation provided in footnote on page 251

Publication Status: N/A

Publisher: Citation provided in footnote on page 251

Place of Publication: Citation provided in footnote on page 251

Publication Year: Citation provided in footnote on page 251

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Table 1 Ignatius Donnelly comparison of languages   (page 101)

Copyright Holder: Citation provided in footnote on page 101

Publication Status: N/A

Publisher: Citation provided in footnote on page 101

Place of Publication: Citation provided in footnote on page 101

Publication Year: Citation provided in footnote on page 101

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

✓

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

✓

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse

---

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Table 2   Ignatius Donnelly comparison of alphabets   (page 102)

Copyright Holder: Citation provided in footnote on page 102

Publication Status: N/A

Publisher: Citation provided in footnote on page 102

Place of Publication: Citation provided in footnote on page 102

Publication Year: Citation provided in footnote on page 102

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

Name: Robert V. Davis "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Table 3 Conversion of radio-carbon to chronological years   (page 164)

Copyright Holder: Citation provided in footnote on page 164

Publication Status: N/A

Publisher: Citation provided in footnote on page 164

Place of Publication: Citation provided in footnote on page 164

Publication Year: Citation provided in footnote on page 164

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

[+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

☑

Describe the **Nature** of the Copyrighted Work:

[+] Work to be used has been previously PUBLISHED
[+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

☑

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

[+] Only limited and reasonable portions will be used
[+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

☑

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

[+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
[+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.

Fair Use Evaluation Documentation

Compiled using the **Fair Use Evaluator** [cc] 2008 Michael Brewer & the Office for Information Technology Policy, http://librarycopyright.net/fairuse/

Name: Robert V. Davis   "The (Un)Settling of America: Science and the Search for the First Americans"

Job Title: Institution: Virginia Tech

Title of Work Used: Table 4 Smithsonian Institution Visitors in 2010   (page 189)

Copyright Holder: Citation provided in footnote on page 189

Publication Status: N/A

Publisher: Citation provided in footnote on page 189

Place of Publication: Citation provided in footnote on page 189

Publication Year: Citation provided in footnote on page 189

Description of Work:

Date of Evaluation: October 28, 2011

Date of Intended Use: October 28, 2011

Describe the **Purpose** and Character of Your Intended Use:

> [+] Use is for "criticism, comment, news reporting, teaching, (including multiple print copies for classroom use), scholarship or research"

Fair   Unfair

✓

Describe the **Nature** of the Copyrighted Work:

> [+] Work to be used has been previously PUBLISHED
> [+] Work to be used is primarily of a factual nature (non-fiction, collection of facts, etc.)

Fair   Unfair

✓

Describe the **Amount** of Your Intended Use in Relation to the Copyrighted Work as a Whole:

> [+] Only limited and reasonable portions will be used
> [+] The portion used is not the "heart" of the work (the portion considered most central to the work as a whole) [+] Only the amount required to achieve the stated, socially-beneficial purpose or objective will be used (be that educational, artistic, scholarly, journalistic, etc.)

Fair   Unfair

✓

Describe the **Effect** of Your Intended Use on the Potential Market or Value of the Copyrighted Work:

> [+] Use of the work has the potential to create or improve the market for the work [+] Proper attribution will be given with the intended use
> [+] The copy of the work to be used is a legal copy

Fair   Unfair

☑

The Average **"Fairness Level,"** Based on Your Rating of Each of the 4 Factors, Is:

Fair   Unfair

☑

Based on the information and justification I have provided above, I, Robert V. Davis, am asserting this use is FAIR under Section 107 of the U.S. Copyright Code.

Signature: _____

Date of Signature: October 28, 2011

*Disclaimer: This document is intended to help you collect, organize & archive the information you might need to support your fair use evaluation. It is not a source of legal advice or assistance. The results are only as good as the input you have provided by are intended to suggest next steps, and not to provide a final judgment. It is recommended that you share this evaluation with a copyright specialist before proceeding with your intended use.