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KENNEWICK MAN LAWSUIT

The U.S. District Court in Portland, Oregon has issued an order limiting the parties in the Kennewick Man litigation (Bonnichsen et. al. v. U.S., D. Or., CV 96-1481) to the plaintiff-scientists and the government defendants. Tribal intervenors had argued to the court that they have "spiritual, cultural and property" interests in the 9400 year-old skeleton, and consequently are entitled to participate in any further proceedings in the case. The court was apparently unconvinced by this argument. In February 2004, a three-judge panel of the U.S. Ninth Circuit Court of Appeals ruled that "no cognizable link exists" between the former tribal intervenors or any other present-day Native American group. The District Court reached a similar conclusion in August 2004.

One remaining issue that may arise in the case is the question of what studies of the skeleton will be allowed. The former tribal intervenors have been outspoken in their opposition to study of the skeleton by these scientists. It is not clear what further action the tribes will take in response to this latest development.

The skeleton was originally found in July 1996. It has yet to be studied as thoroughly as scientists believe necessary in order to learn what role this individual and his people played in early human settlement of North America.

Further details can be obtained from either of the undersigned. The text of the briefs filed on this issue can be found on the Friends of America's Past website [www.friendsofpast.org].

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