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**September 9, 2004**

**KENNEWICK MAN LAWSUIT**

The Colville, Nez Perce, Umatilla and Yakama Tribes have renewed their efforts to stop, or at least substantially limit, any further scientific study of the Kennewick Man skeleton and the site where it was discovered in July 1996. On Wednesday afternoon, they filed a new motion in federal district court asking permission to intervene as a full party in any further proceedings in the Kennewick Man lawsuit (Bonnichsen et.al. v. U.S., D.Or., cv 96-1481). Their motion asserts that the skeleton is the remains of an Indian who was one of their ancestors, and that they have a legal right to participate in all decisions relating to the skeleton's treatment and ultimate disposition. An affidavit from Armand Minthorn filed in support of the motion, states: "We know this to be the case from our oral traditions and our beliefs."

To date, the Tribes' arguments have not fared well in court. In February 2004, a three-judge panel of the U.S. Ninth Circuit Court of Appeals ruled that the Tribes have no legal claim to the skeleton because "no cognizable link exists" between it and them or any other present-day Native American group. The district court reached a similar conclusion in August 2002. Less than a month ago, the district court ruled that the "Ninth Circuit's disposition of the appeal precludes the tribal claimants' further participation in this litigation."

The scientists will oppose the motion. The skeleton 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. The Tribes appear to be opposed to most, if not all, of the studies of the skeleton that have been proposed by the plaintiff-scientists. They object to any sampling, no matter how small, of the skeleton or the calcium deposits on bone surfaces. They claim that measurements and observations will "irrefutably cause erosion" of the skeleton. Even photography and x-rays appear unacceptable because they will involve "repeated handling".

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](http://www.friendsofpast.org)].

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