

2009 Winter Conference Tulalip, Washington

RESOLUTION #09 - 08

“ANCIENT ONE”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of the Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians in the States of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, the Ancient One (aka Kennewick Man) is an ancestor of members of the Confederated Tribes of the Colville Reservation, the Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, the Confederated Tribes and Bands of the Yakama Nation and the Wanapum Band; and

WHEREAS, on August 30, 2002, the U.S. District Court (District of Oregon) determined that the Native American Graves Protection and Repatriation Act did not apply to the set of human remains known as the Ancient One (Kennewick Man), ordered that the U.S. Army Corps of Engineers (COE) allow for study of the “Kennewick Collection”, subject to terms and conditions routinely imposed when studies of objects subject to the Archaeological Resources

Protection Act are carried out.” by the “plaintiff scientists” [*Bonnichsen v. United States* 217 F. Supp. 2d 1116, 1167 (D. Or. 2002)]; and

WHEREAS, the above decision was affirmed by the Ninth Circuit [*Bonnichsen v. United States*, 367 F.3d 8864, 882 (9th Cir. 2004)]; and

WHEREAS, preliminary and final reporting are typical terms and conditions of the Archaeological Resources Protection Act; and

WHEREAS, the government, as well as, plaintiff scientists have conducted multiple studies on the remains of the Ancient One in the years 1999 to present; and

WHEREAS, the government and plaintiff scientists have not produced any documents that detail the results of these studies; and

WHEREAS, the Confederated Tribes of the Colville Reservation expressed concerns and made specific requests for information in a letter dated February 12, 2009; now

THEREFORE BE IT RESOLVED, that the Affiliated Tribes of the Northwest Indians support the request by the Confederated Tribes of the Colville Reservation that the USA COE Northwestern Division require the plaintiff scientists to produce a final report in 2009 that details their findings from the multiple studies; and

BE IT FURTHER RESOLVED, ATNI member tribes and northwest communities support the Confederated Tribes of the Colville Reservation’s request to deny further access to the Ancient One proposed by the plaintiff scientists or other qualified professionals; and

BE IT FINALLY RESOLVED, ATNI member tribes and northwest communities support that qualified researchers who wish to study the Ancient One may utilize the data previously collected.

Certification

The foregoing resolution was adopted at the 2009 Winter Conference of the Affiliated Tribes of Northwest Indians, held at the Tulalip Resort and Casino, Tulalip Washington on February 19, 2009, with a quorum present.


Brian Cladoosby, President


Norma Jean Louie, Secretary