

## **Kennewick Man Q&A**

### **What does Hastings' bill do?**

This bill clarifies the law, once and for all, that ancient remains found on federal lands with no connection to modern day tribes should be available for scientific study. In the past, federal agencies have made sensitive decisions regarding ancient remains based on assumptions and speculation – rather than sound science. Ancient remains like Kennewick Man provide a rare opportunity to improve our understanding of early human history in North America.

### **Why is legislation being introduced now and why is it needed – didn't the court ruling settle this?**

Hastings' bill is needed to:

- 1) Ensure that legislative attempts to overturn the Ninth Circuit's decision are not successful
- 2) Protect against future misinterpretation and misapplications of NAGPRA by federal agencies
- 3) Prevent other ancient remains from being tied up in the courts for as long as Kennewick Man

### **Does this bill affect tribal rights to protect their gravesites and remains?**

This legislation does not affect rights of tribes to claim remains of their ancestors when found on federal lands. The clear intent of the bill is to protect the right of tribes to claim remains that are related to present day Native Americans while at the same time allowing for continued scientific research on ancient human remains that bear no relationship to contemporary tribes.

### **What happened to the bill that Hastings introduced last year?**

Each Congress lasts for two years. At the end of each Congress, all legislation that hasn't been enacted into law expires. The 109th Congress ended in 2006, so Hastings' bill from last Congress expired. The new 110th Congress convened in January. The bill Hastings introduced today (October 31<sup>st</sup>) is the same text as the bill from last year.

### **What efforts are underway in the Senate to undo the Ninth Circuit ruling?**

On September 27, 2007 the Senate Indian Affairs Committee approved S. 2087, the Native American Omnibus Technical Corrections Act. According to this Act, it makes "technical corrections" to laws relating to Native Americans. However, Section 2 would change the Native American Graves Protection and Repatriation Act (NAGPRA) so that ancient remains found on federal land are automatically turned over to Native American claimants.