

SUMMARY OF BIOGRAPHICAL INFORMATION
Paula A. Barran

My educational background is as follows. I earned a B.A. in 1971 from the College of William and Mary, an M.A. in 1973 from Cornell University, a Ph.D. in 1976 from the University of British Columbia, an LLB in 1979 from Osgoode Hall School of Law, York University, and an M.B.A. in 1991 from the University of Oregon.

I am admitted to practice in Oregon (1980) and Washington (1984), and before federal courts in both states. I am admitted to the Ninth Circuit Court of Appeals.

I have practiced law, concentrating on labor and employment, since 1980 without interruption. I practiced full time when I attended the Oregon Executive MBA program from 1989 to 1991.

I have been an adjunct professor at Lewis and Clark, Northwestern School of Law, teaching employment discrimination law, during two separate terms. I have been an adjunct professor at Willamette University School of Law in 2001 and 2002, teaching labor law. I have participated as a panelist or presenter in many programs on practice related matters through the Oregon State Bar's CLE programs, Oregon Law Institute, and more than a dozen other sponsors. I am a contributor to Oregon State Bar and other publications. I am listed in Best Lawyers in America. My publications include:

“Public Policy Challenges to Labor Arbitration Awards: Still a Safe Harbor for Silly Fact Finding?” Willamette Law Review, Volume 38, Co-author (Spring 2002); “Managing Reentry: Returning to the Interrupted Practice,” The Professional Lawyer (February, 1996); “Individual Rights in a Collective Bargaining Environment,” LERC Monograph No. 12 (University of Oregon, 1993); “The Glass Ceiling: Do You Need to Worry? and Can You at Least Worry Constructively,” Arbitration Quarterly of The Northwest, Vol. XIII (Spring, 1993); “Employees,” The Oregon Health Law Manual, Co-author (Oregon State Bar Health Law Section, 1992, 1994); “Employment Related Torts,” Oregon State Bar CLE Publications, Co-

author (1990, 1994); “Sexual Harassment in the Workplace: Eliminating the Offensive Working Environment,” LERC Monograph No. 7 (University of Oregon, 1988).

On August 7, 2005 I will be inducted into the American College of Labor and Employment Attorneys.

Alan L. Schneider
Pertinent Biographical Information

I received a B.A. degree in 1965 from the University of San Francisco and a J.D. degree in 1968 from Stanford University. I have been a member of the Oregon State Bar since 1968 and have been continuously engaged in the practice of law since that date. I have been admitted to practice before the United States District Court for the District of Oregon, the Ninth Circuit Court of Appeals and the United States Supreme Court.

I have special expertise in matters relating to federal and other cultural resource laws. Pertinent federal laws include the Native American Graves Protection and Repatriation Act, 25 U.S.C. §3001 et. seq (“NAGPRA”), the Archaeological Resources Protection Act, 16 U.S.C. §470 et. seq (“ARPA”), and the National Historic Preservation Act, 16 U.S.C. §470 et. seq (“NHPA”). These federal statutes establish the basic structure or framework for the protection, use and disposition of archaeological sites and objects located on federal (and, in part, tribal) land. They regulate, among other things, the investigation of archaeological sites, curation of objects after excavation, study of federal collections, and claims for repatriation of human remains and objects qualifying as “cultural items”. They are supplemented by a variety of other federal laws having more limited or specialized applications. Most states and many counties and cities also have laws that regulate activities affecting archaeological sites, and many also regulate the study and disposition of human remains and other objects found in archaeological contexts. Such federal, state and local laws are usually supplemented by regulations adopted by the administrative agencies that enforce them. The laws and regulations adopted by these different

jurisdictional levels of government often vary significantly in the types of activities they regulate, and in the restrictions and requirements they impose.

I developed and taught a class on NAGPRA for the U.S. Forest Service. The purpose of that class was to instruct Forest Service land managers, archaeologists and other decision makers on their obligations under NAGPRA and how they should deal with various situations that might arise under that statute. Class materials included a course handbook (103 pages) that I wrote entitled “NAGPRA and Federal Land Management”. The course has been given for many of the Service’s regions and has been attended by more than 300 persons. Attendees have included representatives from a number of tribal organizations and from federal agencies in addition to the Forest Service.

I have written many articles and papers on NAGPRA and other cultural law topics. Some of the publications that have printed these articles and papers include: Current Research in the Pleistocene (volumes 12 and 13); Topics in Cultural Resource Law (Society for American Archaeology 2000); Proceedings of the 58th Annual Biology Colloquium (Oregon State University 1999); The Mammoth Trumpet (Center for the Study of the First Americans); Legal Perspectives on Cultural Resources (Altamira Press 2004); New Perspectives on the First Americans (Center for the Study of the First Americans 2004); Anthropology Newsletter (American Anthropological Association); ACPAC Newsletter. I am also the author of “A Guide to Northwest Archaeological Laws” (Oregon Archaeological Society 1993) which summarizes the pertinent provision of federal, Idaho, Oregon and Washington laws regulating archaeological resources. I currently have in draft a paper co-authored with Dr. Robson Bonnicksen (now deceased) that discusses how law and public policy impact scientific study of the past. It is entitled “Where Are We Going? Public Policy and Science”, and is scheduled to appear later this

year or next year in *Paleoamerican Origins: Beyond Clovis* (Center for the Study of the First Americans, in press).

I have advised government officials (municipal, state and federal), attorneys, scientists, Native Americans, landowners and other persons on questions relating to NAGPRA and other cultural resource laws. Some of the matters on which I have advised such persons include: ownership rights to ancient human skeletal remains; challenges to state and municipal restrictions on investigation of archaeological sites; standards for repatriation of sacred objects; rights of scientists to study objects held in federal collections. I have participated in public panel discussions of cultural law topics, and I have given speeches and talks on such topics at scientific conferences, meetings and archaeological societies, universities and other venues. I have attended meetings of the NAGPRA Review Committee, and have helped draft comments on proposed regulations under NAGPRA and the NHPA. A special adaptation of my NAGPRA training class was given for Southwest Pueblo tribal officials and members in Santa Fe, New Mexico in October 1999. I have served on the Board of Advisors of the Center for the Study of the First Americans, of which I was a Co-Chairperson for two years, and I was a member of the Training Committee of the Oregon Archaeological Society.

I have personally participated in a number of archaeological and paleontological excavation projects. I have conducted research to help develop methodologies for the recovery of hair and other small-scale organic materials from archaeological sediments. I have co-authored with Dr. Robson Bonnichsen several papers and articles on archaeological subjects. They include: "Breaking the Impasse on the Peopling of the Americas" (*Ice Age Peoples of North America* 1999); "The Case for a Pre-Clovis People" (*American Archaeology*; Winter 2001-02); "Roots" (*the Sciences*; May/June 1995); "Battle of the Bones" (*The Sciences*;

July/August 2000). I have attended many archaeological and other scientific conferences; observed the laboratory investigation of human skeletal remains and other materials; and inspected archaeological sites, research facilities, DNA laboratories and museum curation facilities.

For more than the past 10 years, I have closely monitored developments on the federal and state level relating to the repatriation of human skeletal remains and other objects. Among other things, I have reviewed available literature and documents concerning the following matters: the so-far unsuccessful efforts of the Fallon Paiute Tribe to obtain possession of the Spirit Cave Mummy (approximately 10,600 years old) that was found in 1940 on Bureau of Land Management property; repatriation programs undertaken by a number of states; efforts by the NAGPRA Review Committee to develop guidelines for the repatriation of culturally unaffiliated remains; disposition of the Buhl Woman skeletal remains (more than 10,000 years old) by Idaho state authorities. In addition, I have tried to stay informed about repatriation activities in other countries such as Australia, New Zealand and the United Kingdom.