



CONFEDERATED TRIBES
of the
Umatilla Indian Reservation

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December 2, 1996

Lt. Col. Donald R. Curtis
Department of the Army
Corps of Engineers, Walla Walla District
210 North Third Avenue
Walla Walla, Washington 99362-1876

Dear Lt. Col. Curtis

I write on behalf of the CTUIR to file a claim for the five human remains inadvertently discovered along the banks of the Columbia River near Columbia Park in Kennewick, Washington on July of 1996. The CTUIR claim to these remains is filed pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. § 3001 et seq. as discussed in greater detail below.

The CTUIR claim to these remains, while filed individually, should also be construed as being consistent with a Tribal Coalition claim to the remains that we hope will be filed in the near future. Such a Tribal Coalition claim was promised in our meeting with you in Spokane on November 8, 1996. The CTUIR files this individual NAGPRA claim at this time only to preserve our NAGPRA claim because of the delays in the filing of the Tribal Coalition claim.

The CTUIR claims to the five remains are based upon the following two provisions of NAGPRA:

1. The CTUIR claims that it is entitled to the human remains pursuant to the provisions of NAGPRA at 25 U.S.C. § 3002(a)(2)(C)(1) because the human remains were discovered upon federal lands aboriginally occupied by the CTUIR; and

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2. The CTUIR also makes a claim under NAGPRA for the human remains pursuant to the provisions of 25 U.S.C. § 3002(a)(2)(B). Under this section of NAGPRA, the Indian tribe "which has the closest cultural affiliation with such remains or objects and which, upon notice, states a claim for such remains or objects" shall be entitled to ownership or control of the ancient human remains.

The CTUIR hereby incorporates each of the legal arguments, statement of facts and supporting evidence to support the above-referenced NAGPRA claims to the five human remains as set forth in our NAGPRA claims to the Richland man remains set forth in our letters to the Corps of Engineers September 5, 1996 and October 23, 1996. In addition, in further support of this claim, the CTUIR resubmits the affidavits of Drs. Deward Walker and Roderick Sprague.

Feel free to contact me with any questions you may have regarding our NAGPRA claims as set forth herein.

Sincerely,

CONFEDERATED TRIBES OF THE
UMATILLA INDIAN RESERVATION



Donald G. Sampson, Chariman
Board of Trustees

Enclosures

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