

1437 S. W. Columbia St., Suite 200
PORTLAND, OREGON 97201
Telephone (503) 274-8444
(Facsimile) (503) 274-8445

ALAN L. SCHNEIDER
ATTORNEY AT LAW

MICHAEL
Adm Record
1445 Willamette, Suite 9
P. O. BOX 10552
EUGENE, OREGON 97440
(541) 484-5483

DEPARTMENT OF JUSTICE
GENERAL LITIGATION
SECTION
98 JUL 13 AM 10:58

July 7, 1998

Ms. Robin N. Michael
U.S. Department of Justice
General Litigation Section
Envir. & Natural Resources
P.O. Box 663
Washington, D.C. 20044-0663

Re: Bonnichsen et.al. v. U.S.
Civil No. 96-1481-JE

Dear Ms. Michael:

Enclosed is a letter dated June 29, 1998, from Dr. Walter Neves of the University of Sao Paulo to Lt. Col. Curtis and Dr. McManamon. Per your earlier directions, this letter is being sent to you for retransmittal to Lt. Col. Curtis and Dr. McManamon for their consideration as part of their decision making process relating to the issues set out in the Court's opinion of June 27, 1997.

If the government has any questions concerning the issues addressed in Dr. Neves' letter, please do not hesitate to contact us and we will provide further information.

Very truly yours,

Alan L. Schneider

Alan L. Schneider

ALS/dmc
Enclosure

cc: W. Neves
P. Barran
D. Rubanoff
C. Hawkinson
Plaintiffs

96-24-1858

June 29, 1998

To

Dr. Francis P. McManamon
Department of Consulting Archaeologists
US Department of Interior
National Park Service
PO Box 37127
Washington, DC 20013-7127
USA

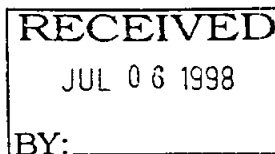
Lt. Col. Donald R. Curtis, Jr.
District Engineer
U.S. Army Corps of Engineers
Walla Walla District
201 North Third Street
Walla Walla, WA 99382
USA

Ref.: Kennewick Man

Dear Sir,

This letter is sent in connection with the administrative proceedings being conducted by the Army Corps of Engineers and the Department of the Interior relating to study and disposition of the ancient skeleton commonly referred to as the Kennewick Man skeleton. It is submitted for your consideration and for inclusion in the administrative record relating to the above proceedings.

Since 1988 I and my Argentinean colleague, Dr. Hector Mario Pucciarelli, have been intensively studying South American Paleoindian skeletons and I think our results together with those obtained in the USA by Dr. D.Gentry Steele and Dr. Joseph Powell are of significance for the present discussion about the Kennewick Man, mainly because they are totally convergent.



Rua do Matão - Travessa 14 nº 321 - CEP 05508-900
Cidade Universitária - São Paulo - Brasil
<http://www.ib.usp.br>

DOI 03201

For many decades, I, as any other student or investigator dedicated to the study of the American prehistory, have been taught that all native Americans, present and past, have one and the same biological ancestry, namely the North Asian Mongoloids. In other words, we have been since the beginning of the century emphasizing the biological homogeneity of the Amerinds. Until 1988 I used to completely agree with this information, until I, myself, started studying the cranial morphology of the earliest South Americans, primarily represented by skeletal material from Central Brazil and Central Colômbia, and comparing it with the world-wide variation in terms of cranial form.

Our first results were of great surprise to me, since what the analysis showed was that the first Americans, also called Paleoindians, as you know, did not present any morphological similarity either with Mongoloids of Northeast Asia, or with present Amerinds. These first results were quickly published by *Science & Culture*, a Brazilian leading scientific journal.

After the first results were obtained, and taking into consideration their importance for the understanding of the peopling of the New World, I headed a South American "war" operation dedicated to strengthening our knowledge about these first Americans. This "war" operation is still going on and consists of digging new Paleoindian sites, dating undated human skeletons said to be of Paleoindian antiquity, and surveying museum store-rooms looking for unreported Paleoindian material. My government has spent thousands of dollars in this undertaking in the last five years. However, I am sure it was worthwhile, since it has allowed us to significantly increase our skeletal sample and to identify the earliest known American, a lady of 20 to 25 years old, dated between 11 and 12,000 years BP, recovered from a site of the Lagoa Santa area, Central Brazil.

The analysis of the new material permitted us not only to confirm our first findings, but also to advance our understand about the peopling of the New World. At least seen from South America it is clear that two different kinds of populations entered the New World in the beginning of the Holocene if not earlier: an early one, composed of individuals showing a

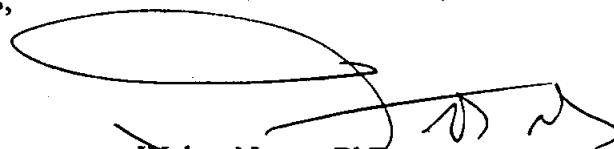
very generalized cranial morphology, similar to that we see today among Africans and Australians, and a later one, composed of classical Mongoloids.

Another point that is clear for us is that around 8,000 years BP there was a major populational replacement in South America, with the Mongoloids replacing completely or almost completely the non-Mongoloids. This major replacement explains why today all Amerinds are similar, or if you want, why all Amerinds show a clear Mongoloid morphological and genetical pattern. Geneticists are right when they say all Amerinds come from just one migration, one that departed from Northeast Asia and was composed of classical Mongoloids. However, when we analyze the phenomenon in time, something that is still very difficult to do using genetics, what morphology tells us is that presentday Indians represent just a late migration, and that a totally different people inhabited the continent in Paleoindian times.

I am afraid our findings speak strongly against the simple assumption that every human skeleton of archaeological provenience found in the Americas has to have an ancestral-descendant relationship with contemporary Amerinds.

Our ideas have been amply confirmed by the study of the few Paleoindian skeletons available in North America, by our colleagues D.Gentry Steele and Joseph Powell. They have been published in first class scientific journals and presented in several international scientific meetings. They are definitely changing our perception of who were the first Americans. It would be a big mistake if the discussion about Kennewick Man does not take our findings into account.

Sincerely Yours,



Walter Neves, PhD.

Laboratory for Human Evolutionary Studies

ALAN L. SCHNEIDER
ATTORNEY AT LAW

1437 S. W. Columbia St., Suite 200
PORTLAND, OREGON 97201
Telephone (503) 274-8444
(Facsimile) (503) 274-8445

MICHAEL

1445 Willamette, Suite 9
P. O. BOX 10552
EUGENE, OREGON 97440
(541) 484-5483

July 9, 1998

Ms. Robin N. Michael
U.S. Department of Justice
General Litigation Section
Envir. & Natural Resources
P.O. Box 663
Washington, D.C. 20044-0663

VIA FAX AND MAIL
(202) 305-0267

DEPARTMENT OF JUSTICE
GENERAL LITIGATION
SECTION
98 JUL 13 AM 10:58

Re: Bonnichsen et.al. v. U.S.
Civil No. 96-1481-JE

Dear Ms. Michael:

Enclosed is a copy of plaintiffs' comments and observations concerning the June 29, 1997 draft of the document entitled "Department of the Interior Approach to Documentation, Analysis, Interpretation, and Disposition of Human Remains Found at Columbia Park, Kennewick, WA" that was attached as an exhibit to defendants' Fourth Quarterly Status Report.

Please forward this to Dr. McManamon for his consideration. If Dr. McManamon has any questions or would like to discuss these comments with plaintiffs or members of plaintiffs' research team, please let me know and we see about scheduling a meeting or teleconference.

Very truly yours,

Alan L. Schneider

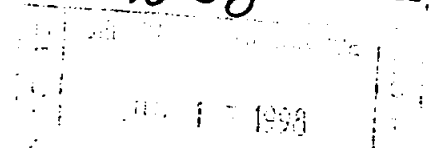
Alan L. Schneider

ALS/dmc
Enclosure

cc: P. Barran
D. Rubanoff
C. Hawkinson
Plaintiffs

C:\Richland.man\Letters\Simmons\MICHAL-12 LTR.doc

98-2-4-1858



DOI 03204