

Congress of the United States
Washington, DC 20515

April 3, 1998

Administrative Rc'd Exh 16

The Honorable Bruce Babbitt
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Babbitt,

We are writing to urge you to halt the Army Corps of Engineers plan to bury the site on which the ancient human remains known as Kennewick Man were discovered.

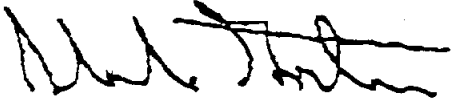
As you know, the Kennewick Man skeleton is over 9,000 years old and is the subject of an ongoing court battle between the Corps of Engineers and a number of prominent scientists. The Corps proposes to "secure" the site where these remains were discovered under tons of rock and soil to guard against potential erosion, causing an irreplaceable loss of valuable archaeological and geologic evidence. Whatever damage may be done to this site by erosion is far outweighed by the considerable scientific loss and damage to the rivershore that will be done by the Corps' extreme proposal.

The Corps' April 1, 1998, report to the federal court in Portland states that the Department of the Interior and the Army Corps of Engineers signed an interagency agreement on March 24, 1998, pertaining to this matter. Specifically, the interagency agreement delegates the authority for determining study and repatriation procedures for human remains under the Native American Graves Protection and Repatriation Act (NAGPRA) to the Department. The Corps' status report states that under the terms of this agreement the Department "will design a set of procedures for carrying out this agreement which may include examination and evaluation of both the remains and the site."

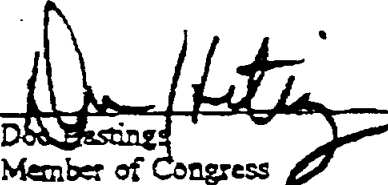
We urge you to use your authority under this agreement to suspend the Corps' proposed actions until the Department can formulate its guidelines relative to study of the site. We also call your attention to legislation passed by both houses of Congress in recent weeks that would block the Corps' unnecessary and destructive plan unless the federal magistrate overseeing this matter agrees that it is necessary. The Corps initially suspended its activities citing clear legislative intent, but after a one day delay the Corps has announced its intention to proceed. We urge you to show greater respect for the legislative branch than has thus far been exhibited by the Corps of Engineers and put a stop to this needless destruction.

Because the Corps has indicated that it may proceed as early as April 6, 1998, we request that you take action on this request as quickly as possible. If we can provide any additional information, please feel free to contact us.

Sincerely,



Slade Gorton
United States Senator



Don Hastings
Member of Congress