



SOCIETY FOR AMERICAN ARCHAEOLOGY

## **SAA POSITION ON THE KENNEWICK CONTROVERSY**

1. NAGPRA was intended as a balance between tribal and scientific interests. Generally speaking, it is cultural affiliation that provides the moral and legal basis for giving control over human remains or funerary objects to a particular tribe. Thus, the appropriate determination of cultural affiliation is central to the process of repatriation.
2. We believe that it is important that the law be followed, particularly in the establishment of cultural affiliation. This is what is being reviewed and will be decided by the court in the Kennewick case. We are NOT taking a position on the cultural affiliation of the Kennewick skeleton; the latter is an evidentiary question (using all the categories of evidence laid out in the law) including both scientific and tribal input.
3. If it is found that the Kennewick remains are culturally affiliated with the Umatilla (or any other tribe), then under NAGPRA that tribe would have the right to decide whether any further study takes place. Because of these remains' scientific importance, we would respectfully encourage the tribe to permit study, but at the same time we would recognize the tribe's prerogative to say no.
4. If scientific study is allowed to proceed (either with the permission of tribes found to be affiliated, in order to help establish affiliation, or in the event of a finding of no affiliation), we would urge that insofar as possible that scientific study be done in a way that is culturally sensitive to the affected tribes and that the scientists engaged in any study should make a serious effort to communicate the results and importance of their results to the tribes.

Committee on Repatriation  
Society for American Archaeology  
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