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National Museum of Natural History

Guide to the Alan Schneider papers
regarding *Bonnichsen v. United States*

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Collection Overview

Repository:	National Anthropological Archives
Title:	Alan Schneider papers regarding <i>Bonnichsen v. United States</i>
Date:	circa 1995 - circa 2005
Identifier:	NAA.2015-13
Creator:	Schneider, Alan
Location:	The collection is stored off-site. Advanced notice must be given to view the collection.
Extent:	28.5 Linear feet
Language:	English .
Summary:	The Alan Schneider papers regarding <i>Bonnichsen v. United States</i> document the legal proceedings of the "Kennewick Man" court case and comprise the case files of Alan Schneider, attorney for the plaintiffs. Included are correspondence, research data and analysis, transcriptions, and administrative records. Additionally, there are materials pertaining to Spirit Cave, On Your Knees Cave, and the Leonard Ranch site.

Administrative Information

Acquisition Information

Received from Alan Schneider in 2015.

Related Materials

The National Anthropological Archives also holds the files of Douglas Owsley relating to *Bonnichsen v. United States*.

Processing Information

Most original folder titles were retained; titles created by the archivist are placed in brackets.

Preferred Citation

Alan Schneider papers regarding *Bonnichsen v. United States*, National Anthropological Archives, Smithsonian Institution

Restrictions

Access to the Alan Schneider papers regarding *Bonnichsen v. United States* requires an appointment.

Conditions Governing Use

Contact the repository for terms of use.

Historical Note

This collection consists of the case files of attorney Alan Schneider regarding the *Bonnichsen v. United States*, or "Kennewick Man" court case. The court case, in which Schneider was attorney for the plaintiffs, determined whether a set of male human remains found near Kennewick, Washington, would be accessible for study by a group of biological anthropologists prior to potential repatriation by the US Army Corps of Engineers.

Discovered along the banks of the Columbia River near Kennewick, Washington on July 28, 1996, the remains (later dubbed "Kennewick Man" and also known as Ancient One) were initially sent by the coroner to archaeologist James Chatters for examination. Chatters sent a sample for radiocarbon dating, which revealed that the skeleton was between 8,000 and 9,000 years old. This placed the remains among the oldest and most complete skeletons ever found. Because the remains were discovered on federal land managed by the US Army Corps of Engineers (Corps), after the age was determined, the Corps retrieved them from Chatters and transferred them to an evidence locker with the goal of repatriating them in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA) to local Tribes in the fall of 1996.

Meanwhile, other scientists' requests to study the remains were denied by the Corps. In October 1996, a group of eight scientists sued to stop the transfer of the skeleton to local Tribes and allow them to study the remains. The plaintiffs included Robson Bonnichsen, C. Loring Brace, George W. Gill, C. Vance Haynes, Richard Jantz, Douglas Owsley, Dennis Stanford, and D. Gentry Steele. The defendants in the case were the United States, the Corps, the Department of Defense, and later the Department of the Interior and the National Park Service. The Tribal Claimants that participated in the trial as amici were a coalition that included the Umatilla, Colville, Yakama, Wanapum, and Nez Perce (Nimiipuu) Tribes. The court case stretched over a nine-year period in which the plaintiffs made arguments concerning the jurisdiction of NAGPRA, cultural affiliation, the meaning of the term "Native American", and other related topics. Ultimately, the plaintiffs were awarded access to study the remains in 2005.

With advancements in DNA technology, testing was conducted in 2013 and later confirmed that the individual showed affiliation with the Tribes located in the region where he was found. He was then finally repatriated to a coalition of Columbia Basin tribes in 2016. He was reinterred in 2017.

Scope and Contents

The collection contains the files of Alan Schneider, attorney for the plaintiffs in the "Kennewick Man" court case (*Bonnichsen v. United States*). The documents presented here include the plaintiffs' correspondence, background and scientific research, transcriptions, and administrative records from the court case. Also included are some audio and video recordings. The collection also includes files relating to Spirit Cave, On Your Knees Cave, and the Leonard Ranch site.

Please note that the contents of the collection and the language and terminology used reflect the context and culture of the time of its creation. As an historical document, its contents may be at odds with contemporary views and terminology and considered offensive today. The information within this collection does not reflect the views of the Smithsonian Institution or National Anthropological Archives, but is available in its original form to facilitate research.

Arrangement

This collection is arranged into four series: 1. Legal proceedings, 2. Administrative record, 3. Spirit Cave man and related cases, and 4. Research and media. The files in this collection were kept in their original order. Each series is divided into several subseries which correlate to groupings of the original file organization.

Names and Subject Terms

This collection is indexed in the online catalog of the Smithsonian Institution under the following terms:

Subjects:

Biological anthropology
Kennewick Man
Repatriation

Names:

Chatters, James C. (1949-03-20)
Owsley, Douglas W.
Stanford, Dennis J.

Places:

North America

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