



REPLY TO  
ATTENTION OF

Office of Counsel

**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, NORTHWESTERN DIVISION**  
PO BOX 2870  
PORTLAND OR 97208-2870

**JUN 11 2010**

Dr. Joe Watkins  
The University of Oklahoma  
Native American Studies  
633 Elm Avenue, Room 216  
Norman, OK 73019

Dear Dr. Watkins:

This letter serves as a response to your letter to Mr. Chris Pulliam, dated June 7, 2010, requesting access to view the Kennewick remains, housed at the Burke Museum. The purpose of the proposed viewing is to provide "better contextualization of the use of terms such as 'PaleoIndian' and 'PaleoAmerican' to describe the initial inhabitants of the western hemisphere." While I recognize the importance of this distinction for academia and how the Kennewick remains and studies can play a pivotal role in that discussion, it cannot be ascertained from the proposal how viewing the actual remains can assist in that endeavor. The Corps has a responsibility to "protect and preserve the condition, research potential, . . . and uniqueness of the collection." 36 C.F.R. § 79.10. At this point, it has not been adequately demonstrated that moving the remains and opening boxes is necessary. However, the associated records have a wealth of information that both you and Ms. Ellick may find invaluable for your research. Consequently, and based on the advice of my staff (attached) and the government's conservators for the remains, I am denying the request to access the remains, but am granting access to all associated records.

If you have any questions, please do not hesitate to contact Mr. Chris Pulliam of the Corps' Mandatory Center of Expertise in St. Louis and the Chief Curator of the collection at (314) 331-8481. Ms. Jennifer Richman of my staff is also available for any inquiries regarding the Kennewick collection. She can be reached at (503) 808-3763. If after you review the associated records, you still feel that viewing the remains is essential, I would be happy to reconsider your request.

Sincerely,

John R. McMahon  
Brigadier General, US Army  
Division Commander

Enclosure

Copies Furnished:  
Dr. Michael Trimble and Mr. Chris Pulliam  
U.S. Army Corps of Engineers (ATTN: CEMVS-EC-Z)  
1222 Spruce Street  
St. Louis, MO 63103-2833



**DEPARTMENT OF THE ARMY  
ST. LOUIS DISTRICT CORPS OF ENGINEERS  
1222 SPRUCE STREET  
ST. LOUIS, MISSOURI 63103-2833**

REPLY TO  
ATTENTION OF:

CEMVS-EC-Z

11 June 2010

MEMORANDUM FOR Commander, U.S. Army Corps of Engineers, Northwestern Division  
(CECC-NWD), P.O. Box 2870, Portland, OR 97208-2870

**SUBJECT: Dr. Joe Watkins' Research Proposal, Dated 7 June 2010, for Access to Kennewick Remains to Better Contextualize Western Sciences with Indigenous Perspectives on Heritage**

1. The research proposal submitted by Dr. Joe Watkins of the University of Oklahoma Native American Studies Department (enclosed) proposes to contextualize various perspectives on heritage, repatriation, and socio-cultural aspects of indigenous beliefs and Western science, using the Kennewick remains as a point of reference.
2. Dr. Watkins is requesting access to the Kennewick remains in order to view them. The proposal does not state what elements would be subjected to the viewing. It is also not clear if Dr. Watkins is intending to physically handle the remains; however, the proposal states that no "studies" or photography would be conducted during the access. Most importantly, Dr. Watkins makes no case for how "viewing" the remains will contribute to his study.
3. Section 79.10(a) of the federal archaeological curation regulation, 36 CFR Part 79 (Curation of Federally-Owned and Administered Archeological Collections), states that "The Federal Agency Official shall not allow uses that would alter, damage or destroy an object in a collection unless the Federal Agency Official determines that such use is necessary for scientific studies or public interpretation, and the potential gain in scientific or interpretive information outweighs the potential loss of the object. When possible, such use should be limited to unprovenienced, nonunique, nonfragile objects, or to a sample of objects drawn from a larger collection of similar objects."
4. We support full access to all Kennewick records housed at the Burke Museum to support Dr. Watkins' study; however, based on the proposal, it does not appear that direct access to the remains is necessary to complete the research, particularly when weighed against the potential damage that access and handling may cause the remains. If additional information is received from Dr. Watkins after his review of the Kennewick records regarding why the access to the remains is required, and exactly what actions would be taken with the skeleton, including how the information that would be gained from the research would further scientific knowledge, the Corps is willing to revisit the issue at that time.
5. Based on the points above, the U.S. Army Corps of Engineers Mandatory Center of Expertise for the Curation and Management of Archaeological Collections does not support Dr. Watkins'

CEMVS-EC-Z

SUBJECT: Dr. Joe Watkins' Research Proposal, Dated 7 June 2010, for Access to Kennewick Remains to Better Contextualize Western Sciences with Indigenous Perspectives on Heritage

direct access to the Kennewick skeletal remains. We recommend full access to the Kennewick records by Dr. Watkins be allowed.

6. Our point of contact for this action is Chris Pulliam (314.331.8481).

FOR THE COMMANDER:

A handwritten signature in black ink, appearing to read "MIC TRIMBLE". The signature is written in a cursive, somewhat stylized font.

Encl

MICHAEL K. TRIMBLE, Ph.D.  
Director, Mandatory Center of Expertise  
for the Curation and Management  
of Archaeological Collections



## *The University of Oklahoma*

NATIVE AMERICAN STUDIES

June 7, 2010

Christopher Pulliam  
Curation and Archives Analysis Branch  
U.S. Army Corps of Engineers, CEMVS-EC-Z  
1222 Spruce Street,  
St. Louis, Missouri 63103-2833

I would like to request that I and my wife Carol Ellick, be allowed to view the skeletal collection known as "Kennewick Man/Ancient One" currently housed within the Burke Museum.

As a point of introduction, my research focuses on the relationship between American Indians and archaeologists, specifically, and Indigenous populations and archaeologists in general. One of the major points of discussion concerning those relationships deals with the early peopling of the Western hemisphere and the roles that the various populations that entered into the continent may have played in the ultimate North American Indian populations. As such, the Kennewick skeleton has played a pivotal role within the contemporary situations regarding Indigenous North American populations and the academic disciplines that study the oldest and contemporary groups. In many ways, the Kennewick situation epitomizes much of the problems that exist between tribal and scientific communities.

My recent peer-reviewed publications attempt to contextualize diverse perspectives on heritage, repatriation, and the broader socio-cultural aspects of Western and Indigenous sciences. As a Choctaw Indian and an archaeologist, viewing the remains is integral to better contextualization of the use of terms such as "PaleoIndian" and "PaleoAmerican" to describe the initial inhabitants of the western hemisphere. This is just a part of the on-going controversy on the political ramifications of heritage ownership and protection, as well as the impact that Western science can have on non-Western communities.

Ms. Ellick, also an archaeologist and an educator, develops curricula for grades K-12 based on archaeological materials. She is especially interested in comparing the scientific and traditional stories about the past.

We do not intend to conduct any studies or to take any photographs. To ensure the continued security and safety of the remains we are requesting only minimal access.

Sincerely,

Joe Watkins

