

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5303
OFFERED BY MR. NEWHOUSE OF WASHINGTON**

At the end of title I, add the following:

1 **SEC. ____ . KENNEWICK MAN.**

2 (a) DEFINITIONS.—In this section:

3 (1) CLAIMANT TRIBES.—The term “claimant
4 tribes” means the Confederated Tribes of the
5 Colville Reservation, the Confederated Tribes and
6 Bands of the Yakama Nation, the Nez Perce Tribe,
7 the Confederated Tribes of the Umatilla Reserva-
8 tion, and the Wanapum Band of Priest Rapids.

9 (2) DEPARTMENT.—The term “Department”
10 means the Washington State Department of Archae-
11 ology and Historic Preservation.

12 (3) HUMAN REMAINS.—The term “human re-
13 mains” means the human remains that—

14 (A) are known as Kennewick Man or the
15 Ancient One, which includes the projectile point
16 lodged in the right ilium bone, as well as any
17 residue from previous sampling and studies;
18 and

1 (B) are part of archaeological collection
2 number 45BN495.

3 (b) TRANSFER.—Notwithstanding any other provi-
4 sion of Federal law, including the Native American Graves
5 Protection and Repatriation Act (25 U.S.C. 3001 et seq.),
6 or law of the State of Washington, not later than 90 days
7 after the date of enactment of this Act, the Secretary, act-
8 ing through the Chief of Engineers, shall transfer the
9 human remains to the Department, on the condition that
10 the Department, acting through the State Historic Preser-
11 vation Officer, disposes of the remains and repatriates the
12 remains to claimant tribes.

13 (c) TERMS AND CONDITIONS.—The transfer shall be
14 subject to the following terms and conditions:

15 (1) The release of the human remains to the
16 claimant tribes is contingent upon the claimant
17 tribes entering into agreement with the Department.

18 (2) The claimant tribes are in agreement as to
19 the final burial place of the human remains.

20 (3) The claimant tribes are in agreement that
21 the human remains will be buried in the State of
22 Washington.

23 (4) The claimant tribes are in agreement that
24 the Department will take custody of the human re-
25 mains upon the transfer by the Secretary.

1 (d) COST.—The Corps of Engineers shall be respon-
2 sible for any costs associated with the transfer.

3 (e) LIMITATIONS.—

4 (1) IN GENERAL.—The transfer shall be limited
5 solely to the human remains portion of the archae-
6 ological collection.

7 (2) SECRETARY.—The Secretary shall have no
8 further responsibility for the human remains trans-
9 ferred pursuant to subsection (b) after the date of
10 the transfer.

