

representatives of the Camp Verde Yavapai-Apache Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Navajo Nation, the Pueblo of Zuni, and the Yavapai-Prescott Indian Tribe.

Between 1965-1975, human remains representing 21 individuals were recovered from four sites (AZ N:04:0002; AZ N:04:0005; AZ N:04:0012; and AZ N:04:0017) within the Prescott National Forest during legally authorized excavations conducted by Arizona State University. No known individuals were identified. The 23 associated funerary objects include ceramic fragments; bone and stone tools; burned animal bones; ground stone; shell; clay; and a burned corn cob.

Based on material culture, architecture, and site organization, these four sites have been identified as Southern Sinaguan large masonry pueblo, a small pueblo, a pithouse village, and a burial ground occupied between 900-1400 A.D. Continuities of ethnographic materials, technology, and architecture indicate affiliation of Southern Sinaguan sites in this portion of central Arizona with historic and present-day Puebloan cultures. Oral traditions presented by representatives of the Hopi Tribe support cultural affiliation with Southern Sinaguan sites in central Arizona.

In 1985, human remains representing one individual were recovered from site NA 18494 during legally authorized salvage excavations conducted by Dr. Thomas R. Cartledge of Kaibab National Forest following disturbance of the burial. No known individual was identified. No associated funerary objects are present.

Based on material culture, site NA 18494 has been identified as a Cohonina burial site dating between 700-900 A.D. Continuities of ethnographic materials, technology, and architecture indicate affiliation of Cohonina sites in north central Arizona with the Hopi Tribe. Oral traditions presented by representatives of the Hopi Tribe support Hopi cultural affiliation with Cohonina sites in this portion of Arizona.

Based on the above mentioned information, officials of the USDA Forest Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 22 individuals of Native American ancestry. Officials of the USDA Forest Service have also determined that, pursuant to 43 CFR 10.2 (d)(2), the 23 objects listed above are reasonably believed to have been placed with or near individual human

remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the USDA Forest Service have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects, the Hopi Tribe, and the Yavapai-Prescott Indian Tribe.

This notice has been sent to officials of the Camp Verde Yavapai-Apache Indian Community, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Navajo Nation, the Pueblo of Zuni, and the Yavapai-Prescott Indian Tribe. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 517 Gold Ave. SW, Albuquerque, NM 87102; telephone: (505) 842-3238, fax: (505) 842-3800, before January 19, 1999. Repatriation of the human remains to the Hopi Tribe and the Yavapai-Prescott Indian Tribe may begin after that date if no additional claimants come forward.

Dated: December 11, 1998.

**Veletta Canouts,**

*Acting Departmental Consulting Archeologist,*

*Deputy Manager, Archeology and Ethnography Program.*

[FR Doc. 98-33449 Filed 12-16-98; 8:45 am]

BILLING CODE 4310-70-F

## DEPARTMENT OF THE INTERIOR

### National Park Service, Interior

#### **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from the Naval Ordnance Center, Port Hadlock, WA in the Control of the Pacific Division, Port Hadlock Detachment, United States Navy, Port Hadlock, WA.**

**AGENCY:** National Park Service, Interior  
**ACTION:** Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects from the Naval Ordnance Center, Port Hadlock, WA in the control of the Pacific Division, Port Hadlock Detachment, United States Navy, Port Hadlock, WA.

A detailed assessment of the human remains was made by U.S. Navy

professional staff in consultation with representatives of the Jamestown S'Klallam Tribe.

During 1975- November 16, 1990, human remains representing six individuals were recovered from the Walan Point and Bugge Spit sites at Port Hadlock Detachment located on Indian Island near Port Hadlock, WA during archeological surveys and construction projects by U.S. Navy personnel. No known individuals were identified. The 42 associated funerary objects include an antler tine, worked bone, an antler wedge, bone blanket pin, pendant, shell bead, dentalium, holed pecten shell, olivella shell bead, glass trade beads, and an iron knife blade.

Based on radiocarbon dates and burial location, the two individuals from the Walan Point site have been determined to be Native American, dated to between 1550-1260 years before present. The burnt condition of the remains of one individual may indicate cremation prior to burial.

Based on the archeological context and radiocarbon dates of surrounding material, the four individuals from the Bugge Spit site have been determined to be Native American, dated to be approximately 300 years old.

Ethnographic documents detailing territories of various Native American groups within the vicinity of these two sites indicate that Indian Island was inhabited by the Chemakum people at the time the first Euroamericans arrived in the Northwest. Around 1850, a series of battles between the Chemakum and the S'Klallam and Suquamish tribes ended in the virtual destruction of the Chemakum. Historic documents indicate the surviving Chemakum were absorbed into the neighboring S'Klallam villages.

Based on the above mentioned information, officials of the United States Navy have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of six individuals of Native American ancestry. Officials of the United States Navy have also determined that, pursuant to 43 CFR 10.2 (d)(2), the 42 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the United States Navy have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Jamestown S'Klallam Tribe.

This notice has been sent to officials of the Jamestown S'Klallam Tribe. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Mr. Tim Johnson, Naval Ordnance Center, Pacific Division, Port Hadlock Detachment, Port Hadlock, WA 98339; telephone: (360) 396-5236, before January 19, 1999. Repatriation of the human remains and associated funerary objects to the Jamestown S'Klallam Tribe may begin after that date if no additional claimants come forward. Dated: December 11, 1998.

**Veletta Canouts,**

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[FR Doc. 98-33450 Filed 12-16-98; 8:45 am]

BILLING CODE 4310-70-F

**DEPARTMENT OF JUSTICE**

**Office of the Attorney General**

[A.G. Order No. 2196-98]

RIN 1105-AA56

**Final Guidelines for the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, as Amended**

**AGENCY:** Department of Justice.

**ACTION:** Final guidelines.

**SUMMARY:** The United States Department of Justice is publishing Final Guidelines to implement the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act as amended by Megan's Law, the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, and section 115 of the General Provisions of Title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998.

**EFFECTIVE DATE:** December 17, 1998.

**SUPPLEMENTARY INFORMATION:** The Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. 104-236, 110 Stat. 3093 (the "Pam Lychner Act"), and section 115 of the General Provisions of Title I of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998, Pub. L. 105-119, 111 Stat. 2440, 2461 (the "CJSA"), amended section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322, 108 Stat. 1796, 2038 (codified at 42 U.S.C.

14071), which contains the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (the "Wetterling Act" or "the Act"). These legislative changes require conforming changes in the Final Guidelines for the Jacob Wetterling Act and Megan's Law (Pub. L. 104-145, 110 Stat. 1345) that were published by the Department of Justice on July 21, 1997, in the **Federal Register** (62 FR 39009).

The Wetterling Act generally sets out minimum standards for state sex offender registration programs. States that fail to comply with these standards within the applicable time frame will be subject to a mandatory 10% reduction of formula grant funding under the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (42 U.S.C. 3756), which is administered by the Bureau of Justice Assistance of the Department of Justice. Any funds that are not allocated to noncomplying states will be reallocated to states that are in compliance. Information concerning compliance review procedures and requirements appears in part VIII of these guidelines.

The Wetterling Act's requirements for compliance may be divided into three categories, each of which carries a different compliance deadline, depending on the legislation from which it derives:

1. *Original requirements.* Many of the provisions of the current formulation of the Wetterling Act derive from the original version of the Act, which was enacted on September 13, 1994, or from the Megan's Law amendment to the Act. These include, for example, the basic requirements to register offenders for at least 10 years; to take registration information from offenders and to inform them of registration obligations when they are released; to require registrants to update address information when they move; to verify the registered address periodically; and to release registration information as necessary for public safety. The deadline for compliance with these features of the Act was September 12, 1997, based on the specification of 42 U.S.C. 14071(g) that states have three years from the Act's original enactment date (i.e., September 13, 1994) to achieve compliance. However, 42 U.S.C. 14071(g) allows a two-year extension of the deadline for states that are making good faith efforts to achieve compliance, and states that have been granted this extension have until September 12, 1999, to comply with these features of the Act.

2. *Pam Lychner Act requirements.* The Pam Lychner Act's amendments to the Wetterling Act created a limited number

of new requirements for state registration programs, including a requirement that the perpetrators of particularly serious offenses and recidivists be subject to lifetime registration. The time frame for compliance with these new requirements is specified in section 10(b) of the Pam Lychner Act—three years from the Pam Lychner Act's enactment date of October 3, 1996, subject to a possible extension of two years for states that are making good faith efforts to come into compliance. Hence, barring an extension, states will need to comply with these features of the Act by October 2, 1999.

3. *CJSA requirements.* CJSA amendments made extensive changes to the Wetterling Act, many of which afford states greater flexibility in achieving compliance. Under the effective date provisions in section 115(c) of the CJSA, states immediately have the benefit of amendments that afford them greater discretion and can rely on these amendments in determining what changes (if any) are needed in their registration programs to comply with the Act. For example, the Act as amended by CJSA affords states discretion concerning the procedures to be used in periodic verification of registrants' addresses, in contrast to the Act's original requirement that a specific verification-form procedure be used. In light of this change, effective immediately, states have discretion concerning the particular procedures that will be used in address verification.

While the CJSA's amendments to the Wetterling Act were largely in the direction of affording states greater discretion, the CJSA did add some new requirements to the Wetterling Act. For example, the CJSA added provisions to promote registration of sex offenders in states where they work or attend school (as well as states of residence) and to promote registration of federal and military sex offenders. The time frame for compliance with new requirements under the CJSA amendments, as specified in section 115(c)(2) of the CJSA, is three years from the CJSA's enactment date of November 26, 1997, subject to a possible extension of two years for states that are making good faith efforts to come into compliance. Hence, barring an extension, states will need to comply with these features of the Act by November 25, 2000.

The final guidelines in this publication identify and discuss separately all of the requirements that states will need to meet by each of the three specified deadlines, thereby making it clear when states will need to be in compliance with each element of