

affiliated with these objects should contact Patricia House, Director, Museum of Indian Arts and Cultures/Laboratory of Anthropology, Museum of New Mexico, P.O. Box 2087, Santa Fe, NM 87504-2087; telephone: (505) 827-6344 before July 30, 1998. Repatriation of these objects to the Pueblo of Pojoaque may begin after that date if no additional claimants come forward.
Dated: June 23, 1998.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from New Mexico in the Possession of the Museum of Indian Arts and Culture/Laboratory of Anthropology, Museum of New Mexico, Santa Fe, NM

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 in the possession of the Museum of Indian Arts and Culture/Laboratory of Anthropology, Museum of New Mexico, Santa Fe, NM.

A detailed assessment of the human remains was made by Museum of Indian Arts and Culture/Laboratory of Anthropology professional staff in consultation with representatives of the Pueblo of Pojoaque.

In 1953, human remains representing two individuals were removed from the Pojoaque Grant site (LA 835) during legally authorized excavations under a National Park Service Federal Antiquities permit by Museum of New Mexico staff during a New Mexico State Highway and Transportation Department work project. No known individuals were identified. The two associated funerary objects are ceramic vessels.

Based on the associated funerary objects and other cultural material present, the Pojoaque Grant site has been identified as an Ancestral Puebloan site, occupied between 850-1100 A.D. Further, this site is located on Pueblo of Pojoaque tribal lands. Based

on material culture, continuity of occupation, and oral history presented by representatives of the Pueblo of Pojoaque, this site is affiliated with the present-day Pueblo of Pojoaque.

Based on the above mentioned information, officials of the Museum of Indian Arts and Culture/Laboratory of Anthropology have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of two individuals of Native American ancestry. Officials of the Museum of Indian Arts and Culture/Laboratory of Anthropology have also determined that, pursuant to 43 CFR 10.2 (d)(2), the two 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 Museum of Indian Arts and Culture/Laboratory of Anthropology 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 Pueblo of Pojoaque.

This notice has been sent to officials of the Pueblo of Pojoaque. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Patricia House, Director, Museum of Indian Arts and Cultures/Laboratory of Anthropology, Museum of New Mexico, P.O. Box 2087, Santa Fe, NM 87504-2087; telephone: (505) 827-6344; before July 30, 1998. Repatriation of the human remains and associated funerary objects to the Pueblo of Pojoaque may begin after that date if no additional claimants come forward.

Dated: June 23, 1998.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Department of Justice Policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d), notice is hereby given that on June 25, 1998, a proposed Consent Decree was lodged with the United States District Court for the District of Montana in *United States*

et al. v. Crown Butte Mines, Inc. et al., Civil Action No. CV-98-91-BLG-JDS. the proposed Consent Decree: (1) settles claims asserted by the United States and the State of Montana arising out of the release or threat of release of hazardous substances attributable to mining related activities on certain lands located within the New World Mining District in western Montana (the "Site"); (2) settles claims asserted in a related action also pending in the same court styled *Beartooth Alliance et al. v. Crown Butte Mines, Inc et al.*, Cause No. CV 93-154-BLG-JDS; and (3) satisfies and effectuates an agreement in principle entered August 12, 1996, between the United States, the Settling Defendants, and certain public interest groups relating to the termination of efforts to open a proposed gold mine in the New World Mining District (the "August 12 Agreement").

The defendants in the action brought by the United States and the State are Crown Butte Mines, Inc. and Crown Butte Resources Ltd (collectively referred to as "Crown Butte"). The Complaint filed by the United States and the State asserts claims on behalf of both governments under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 *et seq.* ("CERCLA") and asserts claims on behalf of the State pursuant to the Montana Comprehensive Environmental Cleanup and Responsibility Act, Title 75, Chapter 10, part 7, M.C.A. ("CECRA"), to recover costs incurred in connection with response actions taken or to be taken at the Site, for recovery for injuries to natural resources, and to obtain injunctive relief requiring the defendants to take further response and/or restoration actions at the Site.

Simultaneously with the filing of the Complaint, the United States and the State moved the Court to consolidate their action with the *Beartooth Alliance et al.* action. In that action, Beartooth Alliance, Greater Yellowstone Coalition, Northern Plains Resource Council, Northwest Wyoming Resource Council, Sierra Club, Gallatin Wildlife Association, Wyoming Wildlife Federation, Montana Wildlife Federation, and Wyoming Outdoor Council, all not for profit corporations (collectively referred to herein as "GYC"), brought claims against Crown Butte, Noranda Minerals Corp., Noranda Exploration, Inc., and Noranda Inc. alleging that the defendants were discharging pollutants into navigable waters of the United States from point sources in the New World Mining District in violation of Section 301(a) of

the Clean Water Act, 33 U.S.C. 1251–1387 (“CWA”).

The parties to the consolidated actions are also parties to, or are interested in, the August 12 Agreement. The August 12, 1996 Agreement involved, among other things, the purchase by the United States of certain interests in properties in the New World Mining District on which Crown Butte proposed to develop a gold mine (the “District Property”), the escrow of a portion of the purchase monies for use in conducting response and/or restoration actions to address the effects of releases or threats of release of hazardous substances in the New World Mining District and the granting of a number of covenants by the parties to the Agreement. Through Pub. L. 105–83, 111 Stat. 1614, enacted November 14, 1998, Congress authorized the implementation of the Agreement and appropriated up to \$65,000,000 for this purpose. With the lodging of the proposed Consent Decree the requirements of Pub. L. 105–83 have been satisfied. Entry of the proposed Consent Decree and the implementation of its provisions will satisfy the objectives and obligations contained in the August 12 Agreement.

Pursuant to the Consent Decree, Crown Butte will transfer, cause to be transferred, or relinquish to the United States those property interests that comprise the District Property. In return, the United States will pay Crown Butte \$65,000,000. Immediately upon receipt of the payment from the United States, Crown Butte will pay into escrow \$22,500,000 to be used by the United States, after consultation with the State, to implement response and/or restoration actions to address:

(1) Releases or threats of release of hazardous substances, pollutants, or contaminants at the Site; (2) injuries to natural resources resulting from such releases; and (3) other matters affecting water quality or natural resources in certain stream systems on or adjacent to the Site. In addition, the Consent Decree provides that any funds remaining after completion of actions noted in the preceding sentence will be used by the United States for other purposes and/or restoration actions within the New World Mining District. The proposed Consent Decree also contains undertakings by Crown Butte and certain named related companies to forebear in perpetuity any mining related activities in the New World Mining District.

The proposed Consent Decree provides for covenants not to sue from the United States, the State, and GYC in favor of Crown Butte and certain names

related companies for claims pursuant to Sections 106 and 107(a) of CERCLA, Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. 6901 3et seq., The Clean Water Act, 33 U.S.C. 1251 *et seq.*, and/or the CECRA, Title 75, chapter 10, Part 7, and the Montana Water Quality Act, Title 75, Chapter 5 MCA. In addition, the proposed Consent Decree provides for covenants from Crown Butte, GYC and the State in favor of the United States relating to conditions in the New World Mining District and the response and/or restoration actions to be performed there.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, U.S. Department of Justice, Washington, DC 20530, and should refer to *United States et al. v. Crown Butte Mines, Inc. et al.*, D.J. Ref. No. 90–11–3–1674.

The proposed Consent Decree and exhibits may be examined at the following locations: Gallatin National Forest, Supervisor’s Office, 10 East Babcock, Ave., Federal Bldg. Bozeman, Montana; Gardiner Ranger District, U.S. Highway 89 South, Gardiner, Montana; and, the Office of the United States Attorney, District of Montana, 301 South Park Ave., Helena, Montana, and 2929 Third Avenue, North, Suite 400, Billings, Montana.

A copy of the Consent Decree and exhibits (if requested) may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624–0892. In requesting copies, please enclose a check in the amount of \$20.50 (without exhibits) or \$31.00 (with exhibits) (25 cents per page reproduction cost) payable to the “Consent Decree Library.”

Bruce Gelber,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 98–17402 Filed 6–29–98; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[INS No. 1901–98]

Notice of the Pilot Test of the Compliance Measurement System at Ports-of-Entry To Measure Program Effectiveness at Ports-of-Entry

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Notice.

SUMMARY: This notice informs the public that effective July 1, 1998, the Immigration and Naturalization Service (INS) will begin to test the immigration compliance measurement system known as the Inspections Traveler Examination (INTEX). The INTEXT system will provide the means for the INS to estimate how effective it is in identifying aliens who are attempting to illegally enter the United States through Ports-of-Entry. This compliance system will enable the INS to measure and improve its effectiveness in accomplishing its mission.

EFFECTIVE DATE: July 1, 1998.

FOR FURTHER INFORMATION CONTACT:

Johnnie Walton, Program Analyst, Immigration and Naturalization Service, Room 4064, 425 I Street, N.W., Washington, D.C. 20536, telephone (202) 305–2035 or fax (202) 514–8345.

SUPPLEMENTARY INFORMATION: The INS has created an outcome performance measurement system that gauges the level of compliance and the ability to achieve results in the area of border control at Ports-of-Entry. This compliance measurement system is scheduled to be piloted starting July 1, 1998, at 20 Ports-of-Entry (10 air and 10 land) as shown below.

Airports—Land Ports

New York, NY—San Ysidro, CA
Miami, FL—El Paso, TX
Los Angeles, CA—Detroit, MI
Dallas, TX—Brownsville, TX
Washington-Dulles, VA—San Luis, AZ
Detroit, MI—Del Rio, TX
San Juan, PR—Pacific Highway, WA
Seattle, WA—Progreso, TX
Phoenix, AZ—Calais, ME
St. Louis, MO—Columbus, NM

The compliance system requires that a random number of travelers, who have already been examined by INS Officers, be selected to undergo a supplementary inspection which will further examine their admissibility into the United States. The process includes a supplementary inspection that involves a detailed review of documents, databases, and personal items. All