

of the information collection form at no cost.

#### SUPPLEMENTARY INFORMATION:

*Title (OMB Control Numbers):* Form MMS-123, Application for Permit to Drill (1010-0044).

*Abstract:* The Outer Continental Shelf (OCS) Lands Act, 43 U.S.C. 1331 *et seq.*, as amended, requires the Secretary of the Interior to preserve, protect, and develop oil and gas resources in the OCS; make such resources available to meet the Nation's energy needs as rapidly as possible; balance orderly energy resources development with protection of the human, marine, and coastal environment; ensure the public a fair and equitable return on the resources offshore; and preserve and maintain free enterprise competition.

To carry out these responsibilities, we issued rules governing oil and gas and sulphur operations in the OCS under 30 CFR 250. Sections 250.414, 250.513, and 250.1617 require the lessees to submit form MMS-123 and supplemental information to the District Supervisors for approval based upon the adequacy of the equipment, materials, and/or procedures that the lessee plans to use to safely perform drilling, well-completion, well-workover, and well-abandonment operations.

In reviewing our regulations at 30 CFR 250, subpart D, "Drilling Operations", it became apparent that much of the supplemental information respondents submit with form MMS-123 lends itself to a uniform, consistent format. We have revised the form MMS-123 accordingly and will submit it to OMB for approval as a revision and extension of a currently approved information collection. To reiterate, the information to be submitted on revised form MMS-123 is not new information, but the same information required in current regulations, but submitted in a consistent format.

We use the information on form MMS-123 to determine the conditions of a drilling site to avoid hazards inherent in drilling operations. Specifically, the appropriate MMS District Office uses the information to evaluate the adequacy of a lessee's drilling and well completion plans and equipment to determine if the proposed operations will be conducted in an operationally safe manner that provides adequate protection for the environment. The District Office also reviews the information to ensure conformance with specific provisions of the lease. The information on form MMS-123 provides our District Offices and drilling engineers with a technical summary of the information submitted

with the APD. This technical summary includes the casing, cement, drilling fluid, and blowout preventer testing programs for each well. This greatly aids in the efficient review and approval of APDs. We also believe the successful use of the revised form will help pave the way for future electronic submissions of APDs.

We will protect proprietary information submitted according to the Freedom of Information Act; 30 CFR 250.118, "Data and information to be made available to the public;" and 30 CFR Part 252, "OCS Oil and Gas Information Program." No items of a sensitive nature are collected.

*Estimated Number and Description of Respondents:* Approximately 130 Federal OCS oil and gas or sulphur lessees.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* We estimate the average burden per application form is 4 hours and that approximately 1,000 applications are submitted annually. This is an increase to the previous burden estimate for form MMS-123 because it takes into consideration the burden for a complete application for permit to drill. The burden now includes the supporting supplemental information that respondents submit, as well as the burden for the revised form.

*Estimated Annual Reporting and Recordkeeping "Cost" Burden:* We have identified no information collection cost burdens for these collections of information.

*Comments:* We will summarize written responses to this notice and address them in our submission for OMB approval. All comments will become a matter of public record. Based on your comments and our consultations with a representative sample of respondents, we will adjust the burden estimate as necessary in our submission to OMB. In calculating the burden, we assume that respondents perform many of the requirements and maintain records in the normal course of their activities. We consider these usual and customary and take that into account in estimating the burden.

(1) We specifically solicit your comments on the following questions:

(a) Is the proposed collection of information necessary for us to properly perform our functions, and will it be useful?

(b) Are the estimates of the burden hours of the proposed collection reasonable?

(c) Do you have any suggestions that would enhance the quality, clarity, or usefulness of the information to be collected?

(d) Is there a way to minimize the information collection burden on respondents, including through the use of appropriate automated electronic, mechanical, or other forms of information technology?

(2) In addition, the PRA requires agencies to estimate the total annual reporting and recordkeeping "cost" burden to respondents or recordkeepers resulting from the collection of information. We need to know if you have costs associated with the collection of this information for either total capital and startup cost components or annual operation, maintenance, and purchase of service components. Your estimates should consider the costs to generate, maintain, and disclose or provide the information. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information; monitoring, sampling, drilling, and testing equipment; and record storage facilities. Generally, your estimates should not include equipment or services purchased: (i) before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

*MMS Information Collection Clearance Officer:* Jo Ann Lauterbach, (202) 208-7744.

Dated: March 10, 1999.

**John V. Mirabella,**

*Acting Chief, Engineering and Operations Division.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the National Park Service, Pecos National Historical Park, Pecos, NM

AGENCY: National Park Service DOI.

ACTION: Notice.

Notice is hereby given in accordance with the provisions of the Native

American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of the inventory of human remains and associated funerary objects in the possession of the National Park Service, Pecos National Historical Park, Pecos, New Mexico.

A detailed assessment of the human remains and associated funerary objects was made by professionals with or working for the National Park Service in consultation with representatives of the Apache Tribe of Oklahoma; Comanche Indian Tribe of Oklahoma; Fort McDowell Mohave-Apache Community of the Fort McDowell Indian Reservation, Arizona; Fort Sill Apache Tribe of Oklahoma; Hopi Tribe of Arizona; Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation, New Mexico; Kaibab Band of Paiute Indian of the Kaibab Indian Reservation, Arizona; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation of New Mexico, Arizona, and Utah; Pawnee Indian Tribe of Oklahoma; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Zuni Tribe of the Zuni Reservation, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Mountain Ute Tribe of the Ute Mountain Ute Reservation, Colorado; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma; and Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona. Invited to consult but not responding were the Pueblo of Sandia, New Mexico; the Pueblo of San Felipe, New Mexico; the Pueblo of San Juan, New Mexico; the Pueblo of Santa Ana, New Mexico; Pueblo of Zia, New Mexico; and the Ysleta del Sur Pueblo of Texas.

Human occupation and use of what is now Pecos National Historical Park began 12,000 years ago and continued nearly uninterrupted until 1989, with a full-time Native American community absent since 1838. From what is known thus far, there were no inhabitants in the park between about AD 950 and 1100. There is evidence from archeology, ethnography, history,

linguistics, and oral traditions that after AD 1100, individuals of various cultural groups visited and occupied the area now encompassed by Pecos NHP, especially after the second half of the 1300s. It was during these years that occupants of the six or seven moderately sized pueblos in the valley intentionally built and shifted their residences to one great pueblo known as Cicuye, or Pecos Pueblo, and conscientiously nurtured the cultural diversity that had apparently just begun. The activities set Pecos Pueblo apart from most other pueblos and resulted in the incorporation of people from many other pueblos and Great Plains tribes. Incorporation was by marriage, as a refugee, individual choice as a single person, trading in of captives, or taking captives directly during raids. The degree of acculturation that occurred, by either social mandate or individual preference, is emerging as one of the next great topics of research. As was the custom in the valley before arrival of the Spanish, human remains were usually buried in or near habitation structures but not in formal cemeteries. Judging from the archeological evidence in pottery production, permeation of traded items, range of architectural styles, and linguistic diversity noted by the Spanish, Pecos Pueblo was a cosmopolitan village unlike its contemporaries or prior settlements.

The first Spanish contact with the people of Pecos Pueblo in 1540 also marks the first written history of the area. A Christian mission was established next to Pecos Pueblo by 1620 and Hispanic homesteads in the surrounding area gradually added to the area's population. The mission was run by various men in the Franciscan Order of the Roman Catholic church. Their primary role was to acculturate the native population into a new way of life, especially in the realm of religion, as well as service the local Hispanic colonists' religious needs such as baptisms, marriages, and burials. The friars at Pecos took anyone into the Christian fold. According to historic documents, the mechanisms to do so included trading for captives (usually children), marrying into the faith, free persons voluntarily accepting acculturation, expedient baptizing of elderly moments before death, and taking in refugees or those "just passing through." Pueblo and Plains captives incorporated into local families and the missionaries' household or work force was a standard and accepted part of the social make up of the resident valley population from the late 1300s up until 1809. The friars buried their "members"

in the formal cemeteries adjacent to the mission.

Disease, raids for food and captives, and emigrations profoundly affected the Native American population and as their numbers dwindled, the non-Native American population increased. The last emigration of Native Americans living in the park was in 1838 when the Pecos Pueblo governor and most of the remaining two dozen or so puebloans relocated to the Pueblo of Jemez. A 1936 Act of Congress legally established the administrative and fiduciary responsibilities of the Pueblo of Jemez for the Pecos Pueblo People. The Act reflects the role the Pueblo of Jemez has assumed to integrate Pecos' sacred knowledge and rituals into the Jemez community since the 1838 emigration from Pecos Pueblo.

Scientific investigations began in earnest in 1914 although some documentation from the 1880s exists. There are some official demographic records for the area. The earliest known sacramental records are from 1694 and later. Such record keeping was done from 1620 to 1693 but are presumed to have been destroyed in the 1680 revolt. All census records for the valley post date 1840.

None of the human remains on the park's culturally affiliated NAGPRA inventory are from Pecos Pueblo and only the four individuals from the Christian cemetery had associated funerary objects. The process followed to determine cultural affiliation, given the circumstances of cultural diversity and few or no associated funerary items, was to first establish biological affiliation using a standard physical anthropological assessment and then determine the era to which the remains date by analyzing their context in the archeological record. It was then determined using archeological, ethnographic, historic, and geographic evidence as well as information acquired through consultation, which Indian tribes of today had an ancestral presence at the estimated time of interment. Those identified are the Native American affiliates that have been determined to have a vested interest under the terms of NAGPRA.

In 1977, human remains representing one individual were recovered from the Sewer Line site during legally authorized excavations conducted by the National Park Service. No known individuals were identified. No funerary objects were present.

The pithouse's age dates to about AD 840 and the fill in which the remains came date between AD 840 and 900. Plainly made pottery and puebloan masonry architecture at the Sewer Line

site are hallmarks of other pithouse sites that, as material culture, represent a non-specific puebloan culture.

Pithouses are associated with the first signs of a sedentary lifestyle in the southwest that developed into today's pueblo descendants. Oral traditional evidence has led to the conventional understanding that the Pecos puebloan pithouses represent a basic native population that is recounted in all of the pueblos today and that all puebloan peoples view these early pithouse sites as ancestral. Officials of the National Park Service relied upon archeological, geographical, and oral traditional evidence to determine the cultural affiliation of these human remains.

Based on the above mentioned information, officials of the National Park Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 1 individual of Native American ancestry. Officials of the National Park Service have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between these Native American human remains and the Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Hopi Tribe of Arizona; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Ysleta del Sur Pueblo of Texas; Pueblo of Zia, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico.

In 1983, human remains representing one individual were recovered from the fill of a pithouse below the historic Square Ruin site during legally authorized excavations conducted by the National Park Service. No known individuals were identified. No funerary objects were present.

The remains were unintentionally exhumed from rodent-churned deposits from immediately above a primary burial that was not removed. The park is prepared to reinter these remains with the burial still in place. The context of the remains predates and is not associated with the historic component of the Square Ruin site and post dates the pithouse. The remains were surrounded by numerous prehistoric

puebloan pottery pieces and stone artifacts whose precise stratigraphical position in the deposit were in disarray due to rodent activity. The types and ages of such prehistoric puebloan artifacts is well established as a result of research over the past 100 years. The ceramic assemblage from the level of the burial and immediately above is from the black-on-white tradition dating from AD 1175 to 1350. The park's ethnographic overview describes cultural relationships between certain modern pueblos and early pueblo occupation in the park that are consistent with the age determination of the human remains based on the surrounding artifacts. For instance, there are several Cochiti residents with surnames, such as "Pecos," that their oral traditions indicate are references to inter-pueblo transfers or migrations that probably extend back into prehistoric times. Early Spanish records also document movement of residents between the Pecos Valley and the Pueblos of Jemez, Cochiti, and Santo Domingo, that had been occurring since sometime before the Spanish arrival in New Mexico. Scholars and community elders from these three pueblos contend that while the predominant language of the recipient pueblos was learned by new residents, traces of the immigrants' first language remain in the traditional stories and names at the integrating pueblos. This is most clearly apparent at the Pueblo of Jemez. Officials of the National Park Service relied upon archeological, ethnographic, historical literature, linguistic, geographic, ethnographic, and oral traditional evidence to determine the cultural affiliation of these human remains.

Based on the above information, officials of the National Park Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 1 individual of Native American ancestry. Officials of the National Park Service have also determined that, pursuant to 43 CFR 10.2 (e), there is a shared group identity that can be reasonably traced between these Native American human remains and the Pueblo of Jemez, New Mexico; Pueblo of Cochiti, New Mexico; and Pueblo of Santo Domingo, New Mexico.

In 1976, human remains representing one individual were recovered from an eroding bank located adjacent to three archeological sites during legally authorized excavations by the National Park Service. No known individuals were identified. No funerary objects were present.

The remains were exhumed from their primary burial context. The three

archeological sites are Forked Lightning Pueblo, LA14118, and LA14125, and their occupation dates range from AD 1175 to 1425. Datable objects from these three sites overlay the burial. A cultural resources inventory surface survey documents several ancestral plains and pueblo sites that were occupied during this time period, especially during its last century. The tipi rings, upright slab small structure, and diagnostic stone tools indicate that the plains sites are of Apache and Wichita ancestry. Consultation and an ethnographic overview have further identified the primary Apachean affiliates as the Jicarilla, Mescalero, and Apache Tribe of Oklahoma. When the Spanish arrived and made contact in 1540, they noted the presence of Wichita, someone from the then Florida area, and Kiowa in somewhat elite socio-political standing, in addition to the Apacheans. Historians continue to supplement evidence of these Plains tribes with one identifying the "Floridian" as Pawnee but there is yet to be discovered another line of evidence to corroborate this or the presence of other Pawnee. The Kiowa connection "to Pecos are as historically valid as those of the Comanches and Plains Apaches," according to the ethnographic overview. There is, however, no evidence to suggest that the Comanches were present earlier than 1700-1720. Comparatively, there is abundant information on the cultural connection with Santo Domingo, Cochiti, and Jemez, and to a lesser degree, Hopi. Emigrations from Pecos to the three former pueblos is cited in Kessell's and others' work and is corroborated by ethnographic findings and oral histories from each of the pueblos. There is at least one published reference to Hopi intermarriage at Pecos. Kidder's excavations recovered a substantial number of Hopi pottery pieces dating from the 1300-1600s. The percent of trade items and that which represent a deeper cultural connection is unclear. Officials of the National Park Service relied upon archeological, ethnographic, historical literature, geographic, and oral traditional evidence to determine the cultural affiliation of these human remains.

Based upon the above mentioned information, officials of the National park service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 1 individual of Native American ancestry. Officials of the National Park Service have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably

traced between these Native American human remains and the Pueblo of Jemez, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Santo Domingo, New Mexico; Apache Tribe of Oklahoma; Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Kiowa Indian Tribe of Oklahoma, Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma; and the Hopi Tribe of Arizona.

In 1970, human remains representing four individuals were recovered from the 17th century Christian mission's cemetery during legally authorized excavations conducted by the National Park Service. No known individuals were identified. The thirty-six associated funerary objects associated with the four individuals are pendants and tubes made of golden eagle bone.

The remains were exhumed from their primary burial context. The walls of the structure next to the cemetery were destroyed in 1680. The toppled walls overlay these burials and remained stratified in that arrangement until the 1970 excavations. The physical attributes of the crania identify the individuals as being of Native American ancestry. Friars assigned to the mission during this period inconsistently recorded daily life in journals and official records. Most of the journals are in foreign archives, have been researched to a limited extent, and produced up to this time no useful information on the cultural aspects of the Native American burials in the cemetery. No sacramental records have been found to date. Historians believe that the well known presence of the Comanche and the more tenuously confirmed connection with the Navajo does not occur until at least a full generation after the 1680 Pueblo Revolt. For the purposes of identifying cultural affiliation, the conclusion is that the era between AD 1175 to 1450 continues with no new cultural groups represented through 1680. Officials of the National Park Service relied upon archeological, ethnographic, historical literature, linguistic, geographic, and oral traditional evidence to determine the cultural affiliation of these human remains and associated funerary objects.

Based on the above mentioned information, officials of the National Park Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of 4 individuals of Native American ancestry. Officials of the National Park Service have also determined that, pursuant to 43 CFR

10.2 (d)(2), the 36 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 National Park Service 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 Jemez, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Santo Domingo, New Mexico; Apache Tribe of Oklahoma; Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Hopi Tribe of Arizona; Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma; and the Kiowa Indian Tribe of Oklahoma.

This notice has been sent to officials of the Apache Tribe of Oklahoma; Comanche Indian Tribe, Oklahoma; Jicarilla Apache Tribe of the Jicarilla Apache Indian Reservation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Hopi Tribe of Arizona; Navajo Nation of New Mexico, Arizona, and Utah; Pawnee Indian Tribe of Oklahoma; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Ysleta del Sur Pueblo of Texas; Pueblo of Zia, New Mexico; Zuni Tribe of the Zuni Reservation, New Mexico; and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma. Representatives of any other Indian tribes that believe itself to be culturally affiliated with these human remains and associated funerary objects should contact Duane L. Alire, Superintendent, Pecos National Historical Park, P.O. Box 418, Pecos, New Mexico 87552; telephone (505) 757-6414, before [thirty days after publication in the Federal Register]. Repatriation of the human remains and associated funerary objects to the Apache Tribe of Oklahoma; Jicarilla Apache Tribe of the Jicarilla Apache

Indian Reservation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Hopi Tribe of Arizona; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Ysleta del Sur Pueblo of Texas; Pueblo of Zia, New Mexico; Zuni Tribe of the Zuni Reservation, New Mexico; and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie), Oklahoma may begin after that date if no additional claimants come forward.

Dated: March 12, 1999.

**Veletta Canouts,**

*Acting Departmental Consulting Archeologist,*

*Deputy Manager, Archeology and Ethnography Program.*

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## DEPARTMENT OF JUSTICE

### Office of Community Oriented Policing Services; FY 1999 Community Policing Discretionary Grants

**AGENCY:** Office of Community Oriented Policing Services, Department of Justice.

**ACTION:** Notice of availability.

**SUMMARY:** The Department of Justice, Office of Community Oriented Policing Services ("COPS") announces the availability of funds under the Tribal Resources Grant Program, a program designed to attempt to meet the most serious need of law enforcement in Indian communities through a broadened, comprehensive hiring program that will offer a "menu of options" from salary and benefits for new police personnel to funding for law enforcement training and equipment for new and existing officers. This program, which complements the COPS Office's effort to fund 100,000 additional community policing officers and support innovative community policing, will enhance law enforcement infrastructures and community policing efforts in Tribal communities which have limited resources and are affected