

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 030199A]

Marine Mammals; File No. 930-1486, 732-1487, and 545-1488

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Receipt of applications.

SUMMARY: Notice is hereby given that: (1) U.S. Geological Survey (USGS), Western Ecological Research Center, Dixon Field Station 6924 Tremont Road, Dixon, CA 95620; (2) Dr. Paul Ponganis, Associate Research Physiologist, University of California, San Diego, Center for Marine Biotechnology and Biomedicine, Scripps Institution of Oceanography, Scholander Hall, 0204, 9500 Gilman Drive, La Jolla, CA 92093-0204; and (3) The North Gulf Oceanic Society (NGOS), SPWS Bldg., 3776 Lake Ave., Suite 204, P.O. Box 15244, Homer AK 9960; have applied in due form for permits to take various cetacean and pinniped species for purposes of scientific research.

DATES: Written or telefaxed comments must be received on or before April 15, 1999.

ADDRESSES: The applications and related documents are available for review upon written request or by appointment in the following office(s): Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289); and

(1) For File No. 930-1486 (USGS) and File No. 732-1487 (Dr. Ponganis): Regional Administrator, Southwest Region, National Marine Fisheries Service, NOAA, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562/980-4001); and

(2) For File No. 545-1488 (NGOS): Regional Administrator, Alaska Region, National Marine Fisheries Service, NOAA, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221).

Written comments or requests for a public hearing on these applications should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media.

FOR FURTHER INFORMATION CONTACT: Sara Shapiro or Ruth Johnson, 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject permits are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR 222.23), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

(1) USGS (File No. 930-1486) requests authorization to conduct low altitude aerial surveys of marine mammals in the Southern California Bight and adjacent waters; (2) Dr. Ponganis (File No. 732-1487) requests authorization to continue pinniped physiological studies on Northern elephant seals (*Mirounga angustirostris*), Pacific harbor seals (*Phoca vitulina*), and California sea lions (*Zalophus californianus*) on animals that have been rescued from the wild and are undergoing captive rehabilitation; and (3) NGOS (File No. 545-1488) requests authorization to photo-identify, biopsy sample, and inadvertently harass killer whales (*Orcinus orca*), and inadvertently harass other marine mammal species on the South coast of Alaska.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of these applications to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: March 3, 1999.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 99-6377 Filed 3-15-99; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. 981214305-9052-02]

RIN 0651-AB02

Official Insignia of Native American Tribes; Statutorily Required Study

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice of inquiry; request for comments.

SUMMARY: This notice requests comments on the specific areas of inquiry included in Public Law 105-330, which requires that the Patent and Trademark Office (PTO) study a variety of issues surrounding trademark protection for the official insignia of federally and/or State recognized Native American Tribes.

DATES: To ensure consideration, comments must be received no later than April 30, 1999.

ADDRESSES: Comments must be submitted to: Eleanor K. Meltzer, Attorney-Advisor, Office of Legislative and International Affairs, U.S. Patent and Trademark Office, 2121 Crystal Drive, Suite 902, Arlington, VA 22202. Comments may also be submitted by e-mail to: NAFedRegNotice@uspto.gov.

FOR FURTHER INFORMATION CONTACT: Eleanor K. Meltzer; Telephone: 703-306-2960; E-mail: eleanor.meltzer@uspto.gov; facsimile transmission: 703-305-8885. Public Law 105-330 may be viewed via the Library of Congress website at: www.thomas.loc.gov.

SUPPLEMENTARY INFORMATION: On October 30, 1998, President Clinton signed Public Law 105-330. Title III of this law requires the PTO to study how such official insignia of Native American Tribes may better be protected under trademark law. The new law requires that the Commissioner complete the study and submit a report to the chairman of the Committee on the Judiciary of the Senate and to the chairman of the Committee on the Judiciary of the House of Representatives not later than September 30, 1999. The final study must address a variety of issues, including the impact of any changes on the international legal obligations of the United States, the definition of "official insignia" of a federally and/or State recognized Native American Tribe, and the administrative feasibility, including the cost, of changing current law or policy in light of any recommendations.

On December 29, 1998, a **Federal Register** notice was published (63 FR