

U.S.C. 4321 *et seq.*), an environmental assessment was prepared on the original application. The environmental assessment is available upon request.

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

Documents may be reviewed in the following locations:

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/586-7221);

Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930, (978/281-9250);

Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way, NE, BIN C15700, Bldg. 1, Seattle, WA, 98115-0070 (206/526-6150);

Regional Administrator, Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432 (813/570-5312); and

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (562/980-4001).

Dated: December 21, 1998.

Ann D. Terbush,

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

[FR Doc. 98-34449 Filed 12-28-98; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. 981214305-8305-01]

RIN 0651-AB02

Official Insignia of Native American Tribes; Statutorily Required Study

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Request for comments.

SUMMARY: On October 30, 1998, President Clinton signed Public Law 105-330. This law 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. The new law requires that the Commissioner of Patents and Trademarks (Commissioner) complete the study and

submit a report, including the findings and conclusions, to the chairmen of the Committee on the judiciary of the Senate and the Committee on the Judiciary of the House of Representatives, not later than September 30, 1999. This notice requests input that will help the PTO make an initial determination of how best to conduct the study, where public hearings should be held, and who should be consulted during the study process.

DATES: To ensure consideration, comments must be received no later than February 12, 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.meltzeruspto.gov; facsimile transmission: 703-305-8885. P.L. 105-330 may be viewed via the Library of Congress website at: *thomas.loc.gov*

SUPPLEMENTARY INFORMATION: Members of Congress have received complaints regarding the lack of adequate protection for the official insignia of Native American tribes. Title III of P.L. 105-330 requires the PTO to study how such official insignia may better be protected under trademark law. As an initial step to completing the mandated study, through this Notice the PTO would like comments on: (1) how best to conduct the study; (2) where public hearings should be held; and (3) who should be consulted during the study process.

Issues to be Addressed by the Study

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. To help in answering items 1-3 above, the following issues are raised. They are provided for informational purposes only. Another **Federal Register** notice will be published in 1999 specifically requesting answers to the following questions.

- **Definition of "Official Insignia"**—How should the PTO define "official

insignia" of a federally or state recognized Native American tribe?

- **Establishing and Maintaining a List of Official Insignia**—How should the PTO establish a list of the official insignia of federally and/or state recognized Native American tribes? How should the PTO maintain such a list?

- **Impact of Changes in Current Law or Policy**—How would any change in law or policy with respect to prohibiting the Federal registration of trademarks identical to the official insignia of native American tribes, or of prohibiting any new use of the official insignia of native American tribes, affect Native American tribes? How would such changes affect trademark owners? How would such changes affect the Patent and Trademark Office? How would such changes affect any other interested party? What impact would any such changes have on the international legal obligations of the United States?

- **Impact of Prohibition on Federal Registration & New Uses of Official Insignia**—How would prohibiting Federal registration of trademarks identical to the official insignia of Native American tribes affect any/all of the above-mentioned entities? How would prohibiting any new use of the official insignia of Native American tribes affect any/all of the above-mentioned entities? What effect would such prohibitions have on the international legal obligations of the United States? What defenses, including fair use, might be raised against any claims of infringement?

- **Administrative Feasibility**—What is the administrative feasibility, including the cost, of changing the current law or policy, to prohibit the registration? What is the administrative feasibility, including the cost, of prohibiting any new uses of the official insignia of state or federally recognized Native American tribes? What is the administrative feasibility, including the cost, of otherwise providing additional protection to the official insignia of federally and state recognized Native American tribes?

- **Timing of Changes in Protection**—Should changes in the scope of protection for official tribal insignia be offered prospectively? Retrospectively? What is the impact of such protection?

- **Statutory Requirements**—What statutory changes would be necessary in order to provide such protection?

- **Other Relevant Factors**—What other factors, not mentioned above, are relevant to this issue?

Request for Public Comment

The Commissioner has identified the following topics for which public comment is currently requested:

1. Best Method of Obtaining Public Comments

What is the best way to obtain public comments? Should the PTO conduct public hearings in order to obtain comments?

2. Site of Public Hearings

If public hearing are desirable, where should these hearings be conducted? If suggesting sites for public hearings, please explain the benefits, particularly in terms of reaching a relevant audience.

3. Persons/Organizations to Consult

Who should be consulted in order to effectively study the impact of changes in trademark protection for the official insignia of Native American tribes? Why?

Persons interested in commenting on the issues outlined above, or any other topics related to the official insignia of native American tribes, should submit their comments in writing to the above address. It is emphasized that, right now, the PTO is only requesting comments on Questions 1, 2, and 3 above. All comments received in response to this notice will become part of the public record and will be available for inspection and copying at Suite 902Q, Crystal Park 2, 2121 Crystal Drive, Arlington, Virginia.

Dated: December 22, 1998.

Q. Todd Dickinson,

Deputy Assistant Secretary of Commerce and Deputy Commissioner of Patents and Trademarks.

[FR Doc. 98-34349 Filed 12-28-98; 8:45 am]

BILLING CODE 3510-16-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of Import Limits for Certain Cotton Textile Products Produced or Manufactured in Cambodia

December 22, 1998.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits.

EFFECTIVE DATE: December 30, 1998.

FOR FURTHER INFORMATION CONTACT:

Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 927-5850, or refer to the U.S. Customs website at <http://www.customs.ustreas.gov>. For information on embargoes and quota re-openings, call (202) 482-3715. For information on categories on which consultations have been requested, call (202) 482-3740.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

A notice published in the **Federal Register** on November 4, 1998 (63 FR 59548) announces that if no solution is agreed upon in consultations between the Governments of the United States and Cambodia on Categories 338/339 and 345 the Committee for the Implementation of Textile Agreements may establish a limit for the twelve-month period beginning on October 28, 1998 and extending through October 27, 1999 at a level of not less than 1,745,634 dozen for Categories 338/339 and at a level of not less than 53,001 dozen for Category 345.

Inasmuch as no agreement was reached during consultations on a mutually satisfactory solution, the United States Government has decided to control imports in Categories 338/339 and 345 for the period October 28, 1998 through October 27, 1999, as authorized by Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The United States remains committed to finding a solution concerning Categories 338/339 and 345. Should such a solution be reached in consultations with the Government of Cambodia, further notice will be published in the **Federal Register**.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States** (see **Federal Register** notice 62 FR 66057, published on December 17, 1997). Information regarding the 1999

Correlation will be published in the **Federal Register** at a later date.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

December 22, 1998.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: Pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); and Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on December 30, 1998, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in the following categories, produced or manufactured in Cambodia and exported during the twelve-month period beginning on October 28, 1998 and extending through October 27, 1999, in excess of the following levels of restraint:

Category	Twelve-month limit ¹
338/339	1,745,634 dozen.
345	53,001 dozen.

¹ These limits have not been adjusted to account for any imports exported after October 27, 1998.

Textile products in Categories 338/339 and 345 which have been exported to the United States prior to October 28, 1998 shall not be subject to this directive.

Textile products in Categories 338/339 and 345 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1) prior to the effective date of this directive shall not be denied entry under this directive.

Charges to these categories based on exports between October 28, 1998 and the effective date of this directive will be provided to Customs when information regarding these entries becomes available.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 98-34388 Filed 12-28-98; 8:45 am]

BILLING CODE 3510-DR-F