

determined to review the ID and remanded the ID to the ALJ for either a modification of the ID or a statement of reasons supporting his decision to allow only limited intervention. Commission Order and Notice of Review, dated October 30, 2001.

On November 20, 2001, the ALJ issued Order No. 7, in which he supplied reasons for the restrictions that he placed on Microchip. Microchip filed a submission concerning Order No. 7 on November 28, 2001. On December 5, 2001, complainant Chamberlain responded in opposition to the submission. On the same date, the Commission investigative attorney filed a response in support of Microchip.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and section 210.45 of the Commission's rules of practice and procedure, 19 CFR 210.45.

By order of the Commission.

Issued: December 18, 2001.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-31600 Filed 12-21-01; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-466]

### In the Matter of Certain Organizer Racks and Products Containing Same; Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on November 21, 2001, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Spectrum Concepts, Inc. of Carlsbad, California. An amended complaint was filed on December 14, 2001, and supplementary letters were filed on November 27 and December 14, 2001. The complaint, as amended and supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain organizer racks and products containing same, by reason of infringement of claims 1, 6, 8, 11, 12, 13, and 24 of U.S. Letters Patent 5,740,924. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease and desist order.

**ADDRESSES:** The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's ADD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDISON-LINE) at <http://dockets.usitc.gov/eol/public>.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey R. Whieldon, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2580.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR § 210.10 (2001).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on December 18, 2001, *Ordered that* (1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain organizer racks and products containing same, by reason of infringement of claims 1, 6, 8, 11, 12, 13, or 24 of U.S. Letters Patent 5,740,924, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Spectrum Concepts, Inc., 1911 Palomar Oaks Way, Carlsbad, CA 92008-6511;

(b) The respondent is the following company alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Bryan Plastics Ltd., 5 Bovis Pointe, Claire, Quebec, Canada H9R 4N3;

(c) Jeffrey R. Whieldon, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation;

(3) For the investigation so instituted, the Honorable Delbert R. Terrill, Jr. is designated as the presiding administrative law judge;

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR § 210.13. Pursuant to 19 CFR §§ 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and to authorize the administrative law judge and the Commission, without further notice to that respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against that respondent.

Issued: December 18, 2001.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-31559 Filed 12-21-01; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility to Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, as amended, the

Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of December, 2001.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

#### Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-39,967; *Bethlehem Steel Corp., Lackawanna Coke Div., Lackawanna, NY*  
 TA-W-39,977; *Lamtech, LLC, Hartsville, TN*  
 TA-W-39,234; *Globe Building Materials, Inc., Cornell, WI*  
 TA-40,186; *B.G. Sullzle, Syracuse, NY*  
 TA-W-39,580 & A; *Elkay Manufacturing Co., Lanark, IL and Oakbrook, IL*  
 TA-W-40,065; *Haemerw-right Tool and Die, Inc., Saegertown, PA*  
 TA-W-39,694; *C.T. Gamble Acquisition Corp., Ohmite Holding, LLC, Delanco, NJ*  
 TA-W-39,067A; *Thomson Saginaw Ball Screw Co. LLC, Cut Center, Saginaw, MI*  
 TA-W-40,168; *Stitches, Inc., El Paso, TX*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-39,681; *United Shoe Machinery Corp., Wilmington, MA*  
 TA-W-40,119; *Tennford Weaving, Sanford, ME*  
 TA-W-39,959; *Teccor Electronics, A Div. of Invensys, Irving, TX*

TA-W-40,091; *Bolivar Tees, Bolivar, MO*  
 TA-W-39,988; *Stephens Pipe and Steel, Russell Springs, KY*  
 TA-W-40,118; *Displaytech, Inc., Longmont, Co*  
 TA-W-39,868; *Yarway Corp., A Div. of Tyco International, Blue Bell, PA*  
 TA-W-39,850; *Seagate Technology, Shakopee, MN*  
 TA-W-38,751; *Dayton Tire, Oklahoma City, OK*

The workers firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-39,935; *Contract Apparel, Inc., El Paso, TX*  
 TA-W-40,098; *Toastmaster, Inc., A Subsidiary of Salton, Inc., Boonville, MO*  
 TA-W-40,023; *National Ford Chemicals Co., Inc., Fort Mill, SC*  
 TA-W-39,974; *Motorola, Inc., Global Telecommunications Solution Sector, Arlington Heights, IL*

#### Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

TA-W-39,067; *Thomson Saginaw Ball Screw Co LLC, Saginaw, MI: April 3, 2000*  
 TA-W-40,221; *Olympic Mill Services, A Div. Of Tube City, Inc., Employed at Auburn Steel Co., Lemont, IL: September 26, 2000.*  
 TA-W-39,566; *Louisiana Pacific Corp., Rouge River Veneer Plant, Rogue River, OR: June 12, 2000.*  
 TA-W-39,271; *The CustomShop, com, Franklin, NJ: May 2, 200.*  
 TA-W-39,407; *Greer Steel Co., Dover, OH: June 7, 2000.*  
 TA-W-114; *Caroll Wren, Inc., Long Island City, NY: April 10, 2000.*  
 TA-W-40,021 & A; *Alba-Waldensian, Inc., Rutherfordton Plant, Rutherfordton, NC and John Louis Plant, Valdese, NC: August 27, 2000.*  
 TA-W-40,024; *Phillips-Van Heusen, Ozark, AL: August 28, 2000.*  
 TA-W-40,019 & A; *Carolina Mills, Inc., Plant #23, Gastonia, NC and Plant #26, St. Pauls, NC: August 29, 2000.*  
 TA-W-39,715; *Ansell Healthcare, Inc., Massillon, OH: July 20, 2000.*  
 TA-W-39,962; *Specialty Coatings of Virginia, Ltd, Ridgeway, VA: August 20, 2000.*  
 TA-W-40,159; *Mirello Manufacturing, Cartersville, GA: September 18, 2000.*  
 TA-W-40,129; *Partek Forest, LLC, Gladstone, MI: September 17, 2000.*  
 TA-W-40,139; *Volvo Construction Equipment North America, Inc., Asheville Plant, Skyland, NC: September 13, 2000.*  
 TA-W-39,419; *Kentucky Electric Steel, Ashland, KY: May 11, 2000.*  
 TA-W-39,406; *Artesyn Technolgoies, Red Falls, MN: May 21, 2000.*  
 TA-W-40,116; *Metro Fabrics, Inc., New York, NY: September 10, 2000.*  
 TA-W-40,141; *Findlay Industries, Ohio City, OH: September 5, 2000.*  
 TA-W-40,210; *Tepro of Florida, Inc., Clearwater, FL: September 25, 2000.*  
 TA-W-40,045; *Maxwell Corp of America, Conyers, GA: August 28, 2000.*  
 TA-W-40,169; *Curtain and Drapery Fashions, Gastonia, NC: September 20, 2000.*  
 TA-W-409,015; *Versatile Mold and Design, Inc., Rutledge, GA: August 28, 2000.*  
 TA-W-40,154; *E-H Barre, Robinson, IL: September 9, 2000.*  
 TA-W-39,623; *E.J. Victor, Inc., Casegoods Div., Morganton, NC: July 2, 2000.*  
 TA-W-39,329; *Dystar L.P., Mt Holly, NC: May 15, 2000.*  
 TA-W-40,166; *Security Chain Manufacturing, Div. of Burns Brothers, Inc., Clackamas, OR: September 12, 2000.*  
 TA-W-39,210; *General Electric Co., Industrial Systems, Houston, TX: April 26, 2000.*  
 TA-W-39,972; *Tyco Electronics Corp., Communications, Computer and Electronics Div., Carlisle, PA: August 23, 2000.*  
 TA-W-40,334; *Matel, Inc., Murray Production Facility, Murray, KY: October 26, 2000.*  
 TA-W-40,187; *Advanced Wood Resources, Brownsville, OR: September 22, 2000.*  
 TA-W-39,871; *McCord Winn Textron, A Div. Of Textron Automotive Co., Inc., Manchester, NH: August 20, 2000.*  
 TA-W-40,265; *McGhan Medical, Santa Barbara, CA: Sepgember 29, 2000.*  
 TA-W-39,451; *Phelps Dodge Morenci, Inc., Morenci, AZ: June 4, 2000.*  
 TA-W-39,803; *New Monarch Tool, Inc., Cortland, NY: July 26, 2000.*  
 TA-W-39,927; *Pechiney Plastic Packaging, Inc., Cleveland, OH: August 10, 2000.*  
 TA-W-39,899; *Tyco Electronics Corp., East Berlin, PA: August 3, 2000.*  
 TA-W-39,563; *Excalibur Tubing Corp., Benwood, WV: June 15, 2000.*  
 TA-W-39,088; *WSW Company of Sharon, Inc., Sharon, TN: April 5, 2000.*

Also, pursuant to Title V of the North American Free Trade Agreement

Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance hereinafter called (NAFTA-TAA) and in accordance with section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA-TAA issued during the month of December, 2001.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA-TAA the following group eligibility requirements of section 250 of the Trade Act must be met:

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely,

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases of imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

#### Negative Determinations NAFTA-TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA-TAA-05352; *Visteon Systems, LLC, Connersville, IN*  
 NAFTA-TAA-05518; *Appleton Papers, Inc., Harrisburg Plant, Camp Hill, PA*  
 NAFTA-TAA-05360; *Con Lime, Inc., Bellefonte, PA*  
 NAFTA-TAA-05262; *Lamtech, LLC, Hartsville, TN*  
 NAFTA-TAA-04781; *Globe Building Materials, Inc., Cornell, WI*  
 NAFTA-TAA-04958; *Philips Display Components, Display Components, Ottawa, OH*  
 NAFTA-TAA-05421; *Stitches, Inc., El Paso, TX*

NAFTA-TAA-05389; *Stephens Pipe and Steel, Russell Springs, KY*  
 NAFTA-TAA-04780; *WSW Company of Sharon, Inc., Sharon, TN*  
 NAFTA-TAA-05281; *Haemer-Wright Tool and Die, Inc., Saegertown, PA*  
 NAFTA-TAA-04759A; *Thomson Saginaw Ball Screw Company LLC, Cut Center, Saginaw, MI*

The workers firm does not produce an article as required for certification under section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended.

NAFTA-TAA-05295; *Genlyte Thomas Group, LLC, Hopkinsville, KY*  
 NAFTA-TAA-05550; *Datamark, Inc., El Paso, TX*  
 NAFTA-TAA-05274; *Toastmaster, Inc., A Subsidiary of Salton, Inc., Boonville, MO*

#### Affirmative Determinations NAFTA-TAA

NAFTA-TAA-04759; *Thomson Saginaw Ball Screw Company LLC, Saginaw, MI: April 12, 2000.*

NAFTA-TAA-05001; *Louisiana Pacific Corp., Rogue River Veneer Plant, Rogue River, OR: June 18, 2000.*

NAFTA-TAA-05259; *Specialty Coatings of Virginia, Ltd, Ridgeway, VA: August 20, 2000.*

NAFTA-TAA-05212; *Yarway Corp., A Div. of Tyco International, Blue Bell, PA: August 8, 2000.*

NAFTA-TAA-05420; *Communications and Power Industries, Inc., Satcom Div., Palo Alto, CA: October 4, 2000.*

NAFTA-TAA-05322; *Volvo Construction Equipment North America, Inc., Asheville Plant, Skyland, NC: September 13, 2000.*

NAFTA-TAA-05468; *CW Industries, Hazleton Enterprises, Hazleton, PA: October 22, 2000.*

NAFTA-TAA-05246; *Teccor Electronics, A Div. of Invensys, Irving, TX: August 17, 2000.*

NAFTA-TAA-05523; *Motorola, Automotive Communications and Electronics Systems, Elk Grove Village, IL: November 5, 2000.*

NAFTA-TAA-05333; *Tyco International, Anderson Greenwood Crosby Div., Wrentham, MA: August 31, 2000.*

NAFTA-TAA-05363; *Advanced Wood Resources, Brownville, OR: September 22, 2000.*

NAFTA-TAA-05317; *Tyco Electronics Corp., Communications, Computer and Electronics Div., Carlisle, PA: September 7, 2000.*

NAFTA-TAA-05474; *Bremen-Bowdon Investment Company, Bowdon, GA: October 24, 2000.*

NAFTA-TAA-05487; *Crouzet Corp., Carrollton, TX: June 29, 2001.*

NAFTA-TAA-05243; *Maxell Corp., of America, Conyers, GA: August 29, 2000.*

NAFTA-TAA-5189; *Tyco Electronics Corp., East Berlin, PA: August 3, 2000.*

NAFTA-TAA-05251; *Willamette Industries, Inc., Korpine Div., Bend, OR: August 17, 2000.*

NAFTA-TAA-05458; *Scientific Atlanta, Inc., Norcross, GA: October 22, 2000.*

NAFTA-TAA-05044; *Kimlor Mills, Inc., Orangeburg, SC: June 30, 2000.*

NAFTA-TAA-05308 and A; *Carolina Mills, Inc., Plant #23, Gastonia, NC and Plant #26, St. Pauls, NC: September 4, 2000.*

I hereby certify that the aforementioned determinations were issued during the month of December, 2001. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: December 18, 2001.

**Edward A. Tomchick,**  
 Director, Division of, Trade Adjustment Assistance.

[FR Doc. 01-31625 Filed 12-21-01; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

[Docket No. TA-W-38, 893] and [NAFTA-04613]

#### The Budd Company Stamping and Frame Division Philadelphia, PA, Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of July 9, 2001 the petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance, applicable to petition numbers TA-W-38,893 and NAFTA 04613, respectively. The denial notices were signed on May 10, 2001 and published in the **Federal Register** on May 23, 2001 (66 FR 28553 and 28554, respectively).

The petitioner indicated that the subject firm opened a new stamping plant in Silao, Mexico during the fall of 2000. The petitioner further stated that the opening of the Mexican plant resulted in a significant shift in plant production to Mexico.