

Keetoowah Band of Cherokee Indians of Oklahoma.

Between 1925 and 1928, human remains representing two individuals were excavated from Mound C, Etowah site, Bartow County, GA, by an unknown person under the direction Warren K. Moorehead, of Phillips Academy, Andover, MA. Prior to 1932 the remains and associated funerary objects were donated to the Michael C. Carlos Museum by Phillips Academy. No known individuals were identified. The 21 associated funerary objects are 2 shell vessels, 1 grinding stone (pestle?), 1 projectile point, 1 whelk columella pendant (?), 1 lot of freshwater pearl beads, and 15 lots of shell beads.

The Etowah site is located on the north bank of the Etowah River, near present-day Cartersville in northeastern Georgia. Archeological evidence documents that the site was inhabited from A.D. 800-1550, spanning the entirety of the Mississippian culture, through its Early, Middle, and Late periods. The site is believed to have housed several thousand inhabitants at its peak, circa A.D. 1300, making it one of the largest Middle Mississippian period settlements in the southeastern United States.

The burials were excavated from Mound C at the Etowah site. Mound C is the third largest of seven mounds at the site and the only burial mound. Radiocarbon 14 dating has dated burials associated with the mound to A.D. 800-1400. There is no absolute archeological proof that links the site with any modern day tribe. However, consultations and studies with the federally recognized Cherokee and Muscogean (Creek) tribes have indicated that there is a reasonable link to a shared group identity with the Muscogean-speaking tribes of today based on historical documents, early maps, certain common lifeway traits, and linguistic evidence.

Based on the above-mentioned information, officials of the Michael C. Carlos Museum 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 Michael C. Carlos Museum also have determined that, pursuant to 43 CFR 10.2 (d)(2), the 21 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 Michael C. Carlos Museum have 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 associated funerary objects and the Alabama-Quassarte Tribal Town, Oklahoma; Kialegee Tribal Town, Oklahoma; Miccosukee Tribe of Indians of Florida; Muscogee (Creek) Nation, Oklahoma; Poarch Band of Creek Indians of Alabama; Seminole Nation of Oklahoma; Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations; and Thlopthlocco Tribal Town, Oklahoma.

This notice has been sent to officials of the Alabama-Quassarte Tribal Town, Oklahoma; Cherokee Nation, Oklahoma; Eastern Band of Cherokee Indians of North Carolina; Kialegee Tribal Town, Oklahoma; Miccosukee Tribe of Indians of Florida; Muscogee (Creek) Nation, Oklahoma; Poarch Band of Creek Indians of Alabama; Seminole Nation of Oklahoma; Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations; Thlopthlocco Tribal Town, Oklahoma; and United Keetoowah Band of Cherokee Indians of Oklahoma. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Todd Lamkin, Registrar, Michael C. Carlos Museum, Emory University, Atlanta, GA 30322, telephone (404) 727-4456, before January 7, 2002. Repatriation of the human remains and associated funerary objects to the Alabama-Quassarte Tribal Town, Oklahoma; Kialegee Tribal Town, Oklahoma; Miccosukee Tribe of Indians of Florida; Muscogee (Creek) Nation, Oklahoma; Poarch Band of Creek Indians of Alabama; Seminole Nation of Oklahoma; Seminole Tribe of Florida, Dania, Big Cypress, Brighton, Hollywood & Tampa Reservations; and Thlopthlocco Tribal Town, Oklahoma may begin after that date if no additional claimants come forward.

Dated: November 5, 2001.

**Robert D. Stearns,**

*Manager, National NAGPRA Program.*

[FR Doc. 01-30348 Filed 12-6-01; 8:45 am]

**BILLING CODE 4310-70-S**

## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 337-TA-429]**

### **Certain Bar Clamps, Bar Clamp Pads, and Related Packaging, Display and Other Materials; Notice of Commission Decision To Grant-In-Part a Joint Motion for Termination of Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has decided to grant-in-part a joint motion for termination of the above-captioned investigation based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** David I. Wilson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-708-2310. General information concerning the Commission also may be obtained by accessing its Internet server (<http://www.usitc.gov>). Hearing-impaired individuals can obtain information concerning this matter by contacting the Commission's TDD terminal at 202-205-1810. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted the investigation to determine whether there is a violation of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain bar clamps, bar clamp pads, and related packaging, display, and other materials. The complainants were American Tool Companies, Inc., and its subsidiary, Peterson Manufacturing Co., Inc. The respondents were Wolfcraft GmbH and Wolfcraft, Inc. The complainants alleged that the respondents' imported merchandise infringes claims of a U.S. patent owned by complainants, infringes complainants' registered trademark, and misappropriated complainants' trade dress. *See* 65 FR 13307 (Mar. 13, 2001).

The patent-based portion of the complaint was deemed withdrawn and that portion of the investigation was terminated when the Commission granted complainants' motion to amend the complaint and notice of investigation (Motion No. 429-4) (Sept. 6, 2000). *See* Commission Order (Jan. 4, 2001) and Commission Opinion (Jan. 4, 2001).

On March 13, 2001, the ALJ issued his final ID, pursuant to 19 CFR 210.42(a)(1), holding that there is no violation of section 337 in the importation and sale of the respondents' merchandise.

On July 3, 2001, complainants and respondents filed a joint motion (Motion No. 429-10C) in which they sought (a) vacatur of the final ID, (2) termination of the investigation with prejudice and (3) withdrawal of respondents' sanctions motion.

The Commission denied the requests in the joint motion that the investigation be terminated with prejudice, and granted the requests that the ID be vacated and that respondents' motion for sanctions be withdrawn.

The authorities for this action are section 337(c) of the Tariff Act of 1930, 19 U.S.C. 1337(c), and Commission rules 210.46(a) and 210.42(h)(2) and (i), 19 CFR 210.46(a), and 210.42(h)(2) and (i).

All nonconfidential documents filed in the investigation are or will be available for public inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Commission's Office of the Secretary, Dockets Branch, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-1802.

By Order of the Commission.

Issued: December 3, 2001.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 01-30362 Filed 12-6-01; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-465]

### Certain Semiconductor Timing Signal Generator Devices, Components Thereof, 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 5, 2001, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Integrated Circuit Systems, Inc. of Valley Forge, Pennsylvania. Supplements to the complaint were filed on November 14 and 26, 2001. The complaint, as 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 semiconductor timing signal generator devices, components thereof, and products containing same, by reason of infringement of claim 9 of U.S. Letters Patent 5,036,216 and claim 6 of U.S. Letters Patent 5,703,537. 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 (EDIS-ON-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 3, 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 semiconductor timing signal generator devices, components thereof, and products containing same, by reason of infringement of claim 9 of U.S. Letters Patent 5,036,216 or claim 6 of U.S. Letters Patent 5,703,537, 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: Integrated Circuit Systems, Inc., 2435 Boulevard of the Generals, Valley Forge, Pennsylvania 19428.

(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: Cypress Semiconductor Corp., 3901 North First Street, San Jose, California 95134.

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

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge; and

(4) The Commission has determined to assign this investigation to Judge Luckern, who is the presiding administrative law judge in Certain Power Saving Integrated Circuits and Products Containing Same, Inv. No. 337-TA-463, in view of the overlapping subject matter in the two investigations. The presiding administrative law judge is authorized to consolidate Inv. No. 337-TA-463 and this investigation if he deems it appropriate.

Responses to the complaint and the notice of investigation must be submitted by the named respondent 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.

By order of the Commission.