

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-17469 Filed 7-16-10; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 1205-8]

### Certain Footwear: Recommendations for Modifying the Harmonized Tariff Schedule of the United States

**AGENCY:** United States International Trade Commission.

**ACTION:** Change in date for transmitting final recommendations to the President.

**SUMMARY:** The Commission has changed the date on which it intends to report its final recommendations to the President in this matter from July 12, 2010, to August 9, 2010, to allow more time to consider the views submitted by Federal agencies and other interested parties.

**DATES:** August 9, 2010—Transmittal of final recommendations to the President.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street, SW., Washington, DC. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

#### FOR FURTHER INFORMATION CONTACT:

Donnette Rimmer, Nomenclature Analyst ([donnette.rimmer@usitc.gov](mailto:donnette.rimmer@usitc.gov), 202-205-3031) or Janis L. Summers, Attorney-Advisor ([janis.summers@usitc.gov](mailto:janis.summers@usitc.gov), 202-205-2605). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). 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.

**Background:** Notice of institution of the investigation and opportunity to comment on proposed recommendations was published in the **Federal Register** on April 13, 2010 (75 FR 18882). The period for filing written submissions closed on June 25, 2010.

By order of the Commission.

Issued: July 13, 2010.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-17467 Filed 7-16-10; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-669]

### In the Matter of Certain Optoelectronic Devices, Components Thereof, and Products Containing the Same Issuance of a Limited Exclusion Order and Cease and Desist Order; and Termination of the Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has terminated the above-captioned investigation with a finding of violation of section 337, and has issued a limited exclusion order and cease and desist order directed against respondent Emcore Corporation ("Emcore") of Albuquerque, New Mexico.

#### FOR FURTHER INFORMATION CONTACT:

Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (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) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on March 10, 2009 based on a complaint filed on February 3, 2009, by Avago Technologies Fiber IP (Singapore) Pte. Ltd. of Singapore; Avago Technologies General IP (Singapore) Pte. Ltd. of Singapore; and Avago Technologies Ltd. of San Jose, California (collectively, "Avago"). 74 FR 10278-79 (March 10, 2009). The complaint, as supplemented,

alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain optoelectronic devices, components thereof, or products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 5,359,447 ("the '447 patent") and 5,761,229 ("the '229 patent"). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The complaint names a single respondent, Emcore Corporation ("Emcore") of Albuquerque, New Mexico.

On December 7, 2009, the Commission issued notice of its determination not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting Avago's motion for summary determination on ownership of the asserted patents.

On March 12, 2010, the ALJ issued his final ID finding a violation of section 337 by Emcore by reason of infringement of one or more of claims 1, 2, 3, and 5 of the '447 patent. The ALJ found no violation of section 337 with respect to the '229 patent. He also issued his recommendation on remedy and bonding during the period of Presidential review. On March 29, 2010, Emcore filed a petition for review of the final ID. The Commission investigative attorney ("IA") and Avago filed responses to the petition on April 6, 2010. On May 13, 2010, the Commission issued notice of its determination not to review the ALJ's final ID finding a violation of section 337, and requested written submissions on the issues of remedy, the public interest, and bonding from the parties and interested non-parties. 75 FR 28060-61 (May 19, 2010).

On May 24 and June 1, 2010, respectively, complainant Avago, respondent Emcore, and the IA filed briefs and reply briefs on the issues for which the Commission requested written submissions.

The Commission has made its determination on the issues of remedy, the public interest, and bonding. The Commission has determined that the appropriate form of relief is both: (1) A limited exclusion order prohibiting the unlicensed entry of optoelectronic devices, components thereof, and products containing the same that are covered by one or more of claims 1, 2, 3 and 5 of the '447 patent, where the infringing optoelectronic devices, components thereof, and products containing the same are manufactured

abroad by or on behalf of, or are imported by or on behalf of, Emcore, or any of its affiliated companies, parents, subsidiaries, licensees, contractors, or other related business entities, or successors or assigns; and (2) a cease and desist order prohibiting Emcore from conducting any of the following activities in the United States: importing, selling, marketing, advertising, distributing, offering for sale, transferring (except for exportation), and soliciting U.S. agents or distributors for, optoelectronic devices, components thereof, and products containing the same that are covered by one or more of claims 1, 2, 3, and 5 of the '447 patent.

The Commission further determined that the public interest factors enumerated in section 337(d)(1) (19 U.S.C. 1337(d)(1)) do not preclude issuance of the limited exclusion order or the cease and desist order. Finally, the Commission determined that a three (3) percent bond of the entered value of the covered products is required to permit temporary importation during the period of Presidential review (19 U.S.C. \*1337(j)). The Commission's orders and opinion were delivered to the President and to the United States Trade Representative on the day of their issuance.

The Commission has terminated this investigation. The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in § 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.50).

By order of the Commission.

Issued: July 12, 2010.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### National Institute of Corrections

#### **Solicitation for a Cooperative Agreement: Guidebook for Building High Performance Correctional Organizations**

**AGENCY:** National Institute of Corrections, U.S. Department of Justice.

**ACTION:** Solicitation for Cooperative Agreement.

**SUMMARY:** The National Institute of Corrections (NIC) is soliciting proposals from organizations, groups, or individuals to enter into a cooperative agreement for an eight-month period to

begin in September 2010. Work under this agreement will continue NIC's High Performance Correctional Organizations Project that has been developed over the past four years. This project will consolidate the work into a guidebook to be placed in the public domain for use by correctional administrators.

The project funded under this cooperative agreement will continue and extend the work of Building High Performance Correctional Organizations (BHPCO) and other NIC projects.

**Intended outcome:** The intended outcome for this project will include creating a guidebook for jails, community corrections and prisons; developing ways to address agency inefficiencies that result from the lack of a holistic and integrated perspective; establishing a core set of values or guiding principles that agencies can apply to correctional disciplines to enhance business practices; improving organizational performance by assessing strengths, weaknesses, opportunities, resources and threats; prioritizing goals and objectives; and containing costs associated with operating correctional agencies and systems.

**DATES:** Applications must be received by 4 p.m. (EDT) on Monday, August 2, 2010. Selection of the successful applicant and notification of review results will be announced to all applicants by September 30, 2010.

**ADDRESSES:** Mailed applications must be sent to Director, National Institute of Corrections, 320 First Street, NW., Room 5007, Washington, DC 20534. Applicants are encouraged to use Federal Express, UPS, or similar service to ensure delivery by the due date.

Hand delivered applications should be brought to 500 First Street, NW., Washington, DC 20534. At the front desk, call (202) 307-3106, extension 0 for pickup. Faxed or e-mailed applications will not be accepted. Electronic applications can be submitted only via <http://www.grants.gov>.

**FOR FURTHER INFORMATION:** A copy of this announcement and the required application forms can be downloaded from the NIC Web site at <http://www.nicic.gov/cooperativeagreements>.

All technical questions concerning this announcement should be directed to Pamela Davison. She can be reached by calling 1-800-995-6423 ext 0484 or by e-mail at [pdavison@bop.gov](mailto:pdavison@bop.gov). All programmatic questions concerning this announcement should be directed to Sherry Carroll. She can be reached by calling 1-800-995-6423 ext 0378 or by e-mail at [scarroll@bop.gov](mailto:scarroll@bop.gov).

**SUPPLEMENTARY INFORMATION:**

**Project Goals:** The BHPCO Guidebook is a compendium of advice and best practice guidance that inform higher performance in correctional institutions. Its intended audience includes managers, executives, supervisors, and staff personnel vested in success and continuous improvement, contributing to a just and humane society through their work in safe, functional, correctional facilities. At a minimum, the Guidebook—a series of stand-alone issuances that can be compiled as chapters in a larger volume—provides credible, easily accessible reference material in a variety of areas in which correctional administrators are most vulnerable, where desired and current state gaps are at their widest, and where system-wide competency needs are defined. Because the variety of institutions is broad and the complexity of the myriad systems influencing performance is unique to individual cases, material presented in the guide cannot be expected to satisfy all end-state situational solutions. Instead, it offers current best practice advice, assessment, guidance, learning, and resource direction, enabling the foundation of a learning culture and a high performance mindset.

The recipient of the award under this cooperative agreement will: (1) Coordinate chapters of the guidebook on leadership, assessments, intervention, change management and other related topics; (2) schedule and provide logistics for one face-to-face meeting (may also include stipend fees) for NIC selected guidebook team members of up to ten members; (3) compile an information library of resources and case studies from organizations going through organizational change; (4) provide the guidebook in hardcopy and electronic Word 2003 or higher format; (5) create learning objectives in preparation for a second cycle of the guidebook project to train pilot participants on the prototype guidebook; (6) refine assessment tools previously developed for this project linking assessments to interventions; (7) identify any additional information and/or language that will enhance cohesion of the guidebook for audience member's consumption; and (8) become familiar with Baldrige criteria.

**Background:** Through a number of prior cooperative agreements, NIC has been developing a definition, identifying characteristics of a high performing correctional organization (HPCO) and developing assessment tools for an HPCO. During 2006, NIC sponsored a workgroup of subject matter experts. The group identified nine categories or core guiding principles