

education system, the local workforce investment system. It may be entirely work-based, entirely classroom or a combination of the two. The cost of the training must be leveraged from a variety of sources, including the employer, the education system and this demonstration program.

6. *Displaced Homemaker.* An individual who meets the definition at WIA Section 101(10).

6. *Eligible Dislocated Worker.* An individual who meets the definition at WIA Section 101(9)(A), (B), and (D). See also "employed dislocated worker."

7. *Employed Dislocated Worker.* An individual who meets the definition of an eligible dislocated worker at WIA Sec. 101(9) and who has not yet been laid off or has been dislocated and has accepted a temporary, income-maintenance job at a wage of less than 90% of layoff wage; and is determined by the project operator or the designated one-stop operator to require training to obtain or retain employment that permits the individual to achieve self-sufficiency in accordance with the criteria set by the State or local workforce investment board under WIA.

8. *H1-B Visa Skill Shortages.* Those skill shortages identified by the Immigration and Naturalization Service (INS) for which employers are permitted to apply to bring into the U.S. foreign workers to meet demands when the supply of workers with such skills in the local labor market are insufficient. A list of the occupations certified by the Department of Labor under the H1-B program for non-immigrant visas may be found on page 44549 of the **Federal Register**, Volume 64, Number 157, Monday, August 16, 1999.

9. *Incumbent Worker.* An individual who is currently employed at small or medium-sized businesses (see definition) whose job skills do not meet the current or future needs of the company if it is to remain competitive by keeping workers employed, averting layoffs, and upgrading workers' skills. As a result, the company has identified such workers as being at risk of being laid off in the future (5 year projection). This definition is for purposes of this grant solicitation.

10. *Independent Evaluation.* A process and outcome evaluation conducted by a contractor hired by DOL. The evaluation will be designed to identify the lessons learned and the variety of effective models developed in order to maximize the value of systems tested and inform the workforce investment system.

11. *Local Workforce Investment Areas.* Those geographic areas designated by the Governor of each State under the Workforce Investment Act (WIA) of 1998 (or service delivery areas under JTPA).

12. *Local Workforce Investment Boards.* Boards are authorized under Section 117 of the Workforce Investment Act (WIA) of 1998. More than half of the membership of each local board must be key officials from the private employers.

13. *Memorandum of Understanding or Cooperative Agreement.* A living and growing agreement that is a critical element of the establishment and on-going development of a regional skills alliance

process. The initial agreement to be submitted with an application, at a minimum, articulate the outcomes and action plan to occur if a project is funded. It must include the affected local workforce development board chairs and the chief elected officials in the Region for which application is made must be parties to the agreement. This agreement shall include the role each organization will take in implementing the demonstration strategy as well as any monetary and in-kind contribution by each signatory organization.

14. *New Entrants.* Eligible individuals in this category include young adults aged 18 years and over; welfare recipients; disabled individuals and others who have limited work histories but for whom the type of training envisioned under this demonstration will lead to self-sufficiency as defined by the State or local workforce investment board.

15. *Private Industry Council (PIC).* The policy making local entity as described in JTPA Sections 102 and 103.

16. *Performance Outcomes.* A determination of how many participants enter jobs for which the training was conducted and the wage received as a result of the training, both in terms of prior wage for incumbent workers and dislocated workers, and in relationship to self-sufficiency for new entrants to the workforce. Other performance factors will be negotiated for each grant depending upon the design of the demonstration project and shall include factors for planning and implementation of strategies to respond to area employers' skill shortages and consistent with the goals articulated in this SGA.

17. *Region.* An area which exhibits a commonality of economic interest. Thus, a region may comprise several labor market areas, one large labor market, one labor market area joined together with several of adjacent rural districts, special purpose districts, or a few contiguous PICs or local boards. If the region involves multiple economic or political jurisdictions, it is essential that they be contiguous to one another. A region may be either intrastate or interstate. Although the rating criteria will provide more detail, it is the applicant's responsibility to demonstrate the regional nature of the area which that application covers. Also, a region may be coterminous with a single PIC or local board.

18. *Regional Planning.* A process described in WIA Section 116(c).

19. *Self-Sufficiency for:*

Dislocated workers. The wage of the job for which the individual is trained will pay at least 95% of the worker's layoff wage within one year of entering employment as a result of the training received.

New entrants. The wage of the job for which the individual is trained will at a minimum exceed the lower living standard for the family size as published by the DOL.

20. *Skills Shortage.* Those specific vocational skills that employers have identified as lacking in sufficient numbers to meet their needs. A labor shortage occurs when the demand for workers possessing a particular skill is greater than the supply of workers who are qualified, available and willing to perform those skills. Problematic

skills shortages occur when there is an imbalance between worker supply and demands for a significant amount of time for which the labor market does not, or is unable, adjust in a timely manner.

21. *Small and Medium-sized Business.* A business with 500 or fewer full-time employees.

22. *Unified Plan.* A State plan authorized under WIA Section 501(b), containing coordination principles strongly encouraged by the Department.

[FR Doc. 00-19297 Filed 7-31-00; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-3854]

#### Chevron Products Company, Roosevelt, UT Notice of Negative Determination Regarding Application for Reconsideration

By application transmitted May 25, 2000, the petitioners request administrative reconsideration of the Department's denial of TA-W-37,240, TA-W-36,295I, and North American Free Trade Agreement-Transitional Adjustment Assistant (NAFTA-TAA). The NAFTA-TAA petition number was not provided.

At an earlier date, the same petitioners filed application for reconsideration of the Department's denial of Trade Adjustment Assistance (TAA) for workers of Chevron Products Company, Roosevelt, Utah, TA-W-37,240, and were notified that their was dismissed. The dismissal notice, dated March 29, 2000, was published in the **Federal Register** on April 11, 2000 (65 FR 19387). With respect to TA-W-36,295I, the petition is a certification issued on July 6, 1999, applicable to workers of Chevron Production, Chevron USA, Inc., all locations in Utah. Since the petitioners in this case are not employees of that company, there is no basis to reexamine the findings of that investigation.

The only petition that the Department may consider under the May 25, 2000 appeal, is the denial of NAFTA-TAA for workers and former workers of Chevron Products Company, Roosevelt, Utah (NAFTA-3854), signed on April 24, 2000, and published in the **Federal Register** on May 11, 2000 (65 FR 30444).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The petitioners explain that the low price of imported crude oil forced U.S. producers to reduce activity which contributed to a loss of demand by oil producers for gaugers, and thus, worker separations at the subject firm. The petitioners also cite an increase in Canadian crude imports, including imports by Chevron, to replace lost production in the local area.

The petition investigation conducted on behalf of workers at Chevron Products Company in Roosevelt, Utah, revealed that there were no company imports of crude oil.

The petitioners state that other trucking and non-producing entities have been certified for TAA. That is not relevant to worker groups applying for NAFTA-TAA eligibility.

The Department's denial of NAFTA-TAA for workers engaged in lifting and transporting crude oil at Chevron Products Company, Roosevelt, Utah, NAFTA-3854, was based on the finding that the worker group provided a service and did not produce an article within the meaning of Section 250(a) of the Trade Act of 1974, as amended. As explained in the decision document for NAFTA-3854, eligibility requirement criteria under which service workers could be certified under the Trade Act were not met for the petitioning worker group. There were no NAFTA-TAA certifications in effect for workers of Chevron Products Company. Other findings of the investigation, not elaborated on in the decision document, show that the subject firm workers lifted and transported crude oil that was primarily purchased from unaffiliated firms.

The petitioners add that the Department's negative determination was premature because Utah had not issued their preliminary findings of the investigation. The Department had all of the information necessary (from the investigation conducted in response to the TAA petition for the same worker group), with which to determine if the group eligibility criteria under paragraph (a)(1) of Section 250 of the Trade Act of 1974 were met.

The petitioners state that the individual issuing denials of worker group eligibility should not be reviewing appeals. The response is that there is no provision in the Federal Regulations for any other means of

administrative reconsideration. The appeal process described in 29 CFR § 90.18, affords the worker group the opportunity to present to the certifying officer (the

### Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, D.C., this 21st day of July 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-19404 Filed 7-31-00; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-04016]

#### ITT Industries, Fluid Handling Systems, Oscoda, Michigan; Notice of Termination of Investigation

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.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 of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on June 30, 2000 in response to a petition filed on behalf of workers at ITT Industries, Fluid Handling Systems, Oscoda, Michigan.

In a letter dated July 16, 2000, the petitioner requested that the petition for NAFTA-TAA be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, D.C., this 20th day of July, 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-19406 Filed 7-31-00; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-03963]

#### Sagaz Industries, Inc., Miami, Florida; Amended Certification Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance

In accordance with Section 250(A), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974 (19 U.S.C. 2273), the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on June 20, 2000, applicable to workers of Sagaz Industries, Inc., Miami, Florida. The notice was published in the **Federal Register** on June 29, 2000 (65 FR 40136).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of car seat covers. New information provided by the company shows that workers separated from employment at Sagaz Industries, Inc. had their wages reported under a separate unemployment insurance (UI) tax account, ADP Total Services, Miami, Florida.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Sagaz Industries, Inc. adversely affected by imports from Mexico.

The amended notice applicable to NAFTA-03963 is hereby issued as follows:

All workers of the Sagaz Industries, Inc., Miami, Florida, including those receiving their compensation through ADP Total Services, Miami, Florida, who became totally or partially separated from employment on or after March 31, 1999 through June 20, 2002 are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, D.C., this 17th day of July, 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-19411 Filed 7-31-00; 8:45 am]

**BILLING CODE 4510-30-M**

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 00-083]

### Information Collection: Submission for OMB Review, Comment Request

**AGENCY:** National Aeronautics and Space Administration (NASA).