

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

The petitioners report that prior to the Pellicano plant closure, workers tested both domestic and foreign production. When the Pellicano plant closed, the workers at the Raw Material Quality Department (RMQ) lab in El Paso were left with only testing Mexican contractor's production and domestic and Mexican fabric. The petitioners state that there was no lab in Powell, Tennessee, until the El Paso lab shut down.

The company official's request for reconsideration emphasizes that Levi Strauss & Company closed six production plants in the El Paso area. Because of these closures, Levi Strauss & Company closed the El Paso Pellicano lab, and all employees were terminated in October 1999. The company states that imports contributed to the decision to close the six plants and the Pellicano lab. The company further states that an RMQ was created in Powell, Tennessee, using fewer workers than in the El Paso RMQ.

The workers at Levi Strauss & Company, RMQ lab, at the Pellicano Finishing Plants, El Paso, Texas, engaged in testing and quality control of denim products were denied eligibility to apply for TAA and NAFTA-TAA based on the findings that worker separations were attributable to the company's decision to have the RMQ lab work done at another domestic facility of Levi Strauss.

The petitioners and the company official both assert that some former El Paso lab employees are eligible for NAFTA-TAA. Our petition records do not show that a NAFTA-TAA certification has been issued for the RMQ workers.

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 30th day of August 2000.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 00-23343 Filed 9-11-00; 8:45 am]

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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 August, 2000.

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-37,744; *Sommers, Inc., Sommers Ribbon Co., Stroudsburg, PA*

TA-W-37,728; *Hill Knitting Mills, Richmond Hill, NY*

TA-W-37,600; *Trinity Industries, Inc., Mt. Orab, OH*

TA-W-37,828; *Johnstown Corp., Johnstown, PA*

TA-W-37,863; *Morton Forest Products, a/k/a Tree Source, Morton, WA*

TA-W-37,439; *National Ceramics, Inc., Ceramic Fashions, Inc., Cunningham, KY*

TA-W-37,780; *Memphis Chair Co., Gainesboro, TN*

TA-W-37,797; *Craft Houses*

International, Inc., Kalkaska, MI

TA-W-37,884; *Rycraft, Inc., Corvallis, OR*

In the following cases, the investigation revealed that the criteria

for eligibility have not been met for the reasons specified.

TA-W-37,920; *Chic-A-Dee Packing Corp., Monmouth ME*

TA-W-37,921 & A; *ACS Shared Service, Inc., Berea, KY and Richmond, KY*

TA-W-37,812; *Amway Corp., Buy-Out Quality Assurance, Ada, MI*

TA-W-37,818; *ARCO Marine, Inc., Long Beach, CA*

TA-W-37,908; *Sweatt Industries, d/b/a Sentry Service, Odessa, TX*

TA-W-37,943; *Ryan International Airlines, Denver, CO*

TA-W-37,829; *Bucilla Corp., Hazleton, PA*

TA-W-37,951; *William Energy Service Co., Houston, TX*

TA-W-37,768; *Big B Valve Repair and Service, Inc., Laurel, MS*

TA-W-37,817; *DHL Worldwide Express, Houston, TX*

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

TA-W-37,824; *Avian Farms*

International, Inc., Waterville, MI

TA-W-37,879; *Beaulieu of America, Hollytex Div., Anadarko, OK*

TA-W-37,905; *Cooper Industries, Lighting Div., Elk Grove Village, IL*

TA-W-37,805; *Eastern Tool and Die, Inc., Newington, CT*

TA-W-37,914; *Joseph Timber Co LLC, Joseph, OR*

TA-W-37,901; *Oxo Welding Equipment Co., Troy, OH*

TA-W-37,676; *Schreiber Foods, Inc., Monroe, WI*

TA-W-37,857; *Optimum Air Corp., Malta, NY*

TA-W-37,877; *Swiss Maid, Inc., Greentown, PA*

TA-W-37,742B; *Key Industries, Inc., Quilting Div., Buffalo, NY*

TA-W-37,900 & A, B, C; *Oxy USA, Inc., Houston, TX, Aransas Pas, TX, Liberal, KS and Venice, LA*

TA-W-37,745 & A; *Louisiana Pacific Corp., Ketchikan Pulp Co., Ketchikan Sawmill, Ketchikan, AK and Timber Div., Prince of Wales Island, AK*

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

TA-W-37,890; *Thomson Consumer Electronics, Dunmore, PA*

The investigation revealed that criteria (2) has not been met. Sales or production, or both, did not decline during the relevant period as required for certification.

TA-W-37,777; *Pearl Brewing Co., San Antonio, TX*

The investigation revealed that criteria (2) and criteria (3) have not been

met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive.

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-37,930; *The Stanleyworks, Hardware Plant, Richmond, VA*: July 25, 1999
 TA-W-37,882; *Walpole, Inc., A Div. of Marion Technologies, Inc., Mt. Holly, NJ*: June 30, 1999
 TA-W-37,947; *Charles Craft, Inc., Wadesboro Plant, Wadesboro, NC*: July 25, 1999
 TA-W-37,823; *Carleton Woolen Mills, Inc., Winthrop, ME*: July 23, 2000
 TA-W-37,927; *Deka Medical, Triad Div., Waynesville, NC*: July 31, 1999
 TA-W-37,936; *Allied Signal/Honeywell Specialty Chemicals, Smethport, PA*: July 20, 1999
 TA-W-37,816; *Multiplex Technology, Inc., Brea, CA*: June 13, 1999
 TA-W-37,832; *Nestaway Corp., Cleveland, OH*: June 22, 1999
 TA-W-37,842; *Siemens, Norwood, OH*: June 14, 1999
 TA-W-37,810; *Buckeye Apparel, Coldwater, OH*: June 2, 1999
 TA-W-37,864; *Weinmann, Inc., Olney, IL*: June 22, 1999
 TA-W-37,924; *Banta Healthcare Group, Eaton Park, FL*: July 17, 1999
 TA-W-37,851; *J. Angela Dress Corp., Brooklyn, NY*: June 19, 1999
 TA-W-37,751; *Hoff Forest Products, Meridian, ID*: May 24, 1999
 TA-W-37,736; *Transsouthern Leasing, a/k/a Dallas Manufacturing, Selma, AL*: May 15, 1999
 TA-W-37,853; *VF Workwear, Inc., Bassville, MS*: June 22, 1999
 TA-W-37,918; *Trans Regional Manufacturing Co., Inc., Blackville SC*: June 15, 1999
 TA-W-37,897; *Oswar Sylvania, St. Marys, PA*: July 12, 1999.
 TA-W-37,912; *Aquatech, Inc., McMinnville, TN*: July 6, 1999.
 TA-W-37,748; *Coats North America, Anniston, AL*: May 23, 1999.
 TA-W-37,888; *Federal Mogul Wiper Products, Michigan City, IN*: July 6, 1999.
 TA-W-37,790; *Empire Steel Castings, Inc., Reading, PA*: June 5, 1999.
 TA-W-37,874; *Frink America, Inc., Clayton, NY*: June 15, 1999
 TA-W-37,705; *Competitive Engineering, Inc., Tucson, AZ*: May 5, 1999.
 TA-W-37,695; *Ryan Press, Ogdensburg, NY*: April 27, 1999.

TA-W-37,742 and A; *Key Industries, Inc., Fort Scott, KS and Hermitage, MO*: May 22, 1999.

TA-W-37,792; *Southwire Co., Smelter and Tankhouse, Carrollton, GA*: May 23, 1999.

TA-W-37,849; *Seagate Technology, Inc., Research and Design Center, Oklahoma City, OK*: June 26, 1999

TA-W-37,772; *Tech Center Manufacturing, Goodyear Tire and Rubber, Akron, OH*: June 5, 1999.

TA-W-37,902; *Toastmaster, Ingraham Time Products Div., Laurinburg, NC*: July 7, 1999.

TA-W-37,795; *Arlington Apparel Co-Op, LLC, Arlington, GA*: June 2, 1999.

TA-W-37,872; *Chipman-Union, Inc., Belmont, NC*: June 28, 1999.

TA-W-37,773; *Alfa Laval Separation, Inc., Warminster, PA*: August 4, 2000.

TA-W-37,767; *Ingersoll-Rand Co., Rock Drill Div., Roanoke, VA*: May 26, 1999.

TA-W-37,848; *Genicom Corp., Temple, TX*: June 16, 1999.

TA-W-37,875; *Personal Products Co., Wilmington, IL*: June 28, 1999

TA-W-37,793; *Hitachi Koki Imaging Solutions, Inc., (Formerly Known as Data Products), Simi Valley, CA*: June 2, 1999.

TA-W-37,839; *Congoleum Corp., Trainer, PA*: June 15, 1999.

Also, 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 as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA-TAA issued during the month of August, 2000.

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 in 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 the Canada or Mexico during the relevant period.

NAFTA-TAA-03950; *Pearl Brewing Co., San Antonio, TX*

NAFTA-TAA-03980; *Morton Forest Products, a/k/a Tree Source, Morton, WA*

NAFTA-TAA-04020; *Thomson Consumer Electronics, Inc., A.T.O Div., Dunmore, PA*

NAFTA-TAA-04059; *Beaulieu of America, Hollytex Div., Anadarko, OK*

NAFTA-TAA-03998; *Trinity Industries, Inc., Mt. Orab, OH*

NAFTA-TAA-04003; *Wallowa Forest Products, Wallowa, OR*

NAFTA-TAA-03965; *Memphis Chair Co., Gainesboro, TN*

NAFTA-TAA-03978 & A; *Key Industries, Inc., Quilting Dept., Buffalo, MO and Hermitage, MO*

NAFTA-TAA-04007; *Key Industries, Inc., Fort Scott, KS*

NAFTA-TAA-04042; *Joseph Timber Co., LLC, Joseph, OR*

NAFTA-TAA-03970; *Craft House International, Inc., Kalkaska, MI*

NAFTA-TAA-04058; *Cloverland Manufacturing, Inc., Escanaba, MI*

NAFTA-TAA-03902; *Berstone Knitting Mills, Brooklyn, NY*

NAFTA-TAA-04053; *Ochoco Lumber Co., Prineville, OR*

NAFTA-TAA-04005; *Graphic Vinyl Products, Inc., Newark, NJ*

The investigation revealed that the criteria for eligibility have not been met for the reasons specified.

NAFTA-TAA-4052; *Chief Tonasket Growers, Tonasket, WA*

NAFTA-TAA-04091; *Humpty Dumpty Snack Foods USA, Inc., Scarborough, ME*

The investigation revealed that workers of the subject firm did not

produce an article within the meaning of Section 250 (a) of the Trade Act, as amended.

Affirmative Determinations NAFTA-TAA

NAFTA-TAA-04021; Cooper Industries, Lighting Div., Elk Grove Village, IL: July 10, 1999.

NAFTA-TAA-04010; Personal Products Co., Wilmington, IL: June 28, 1999.

NAFTA-TAA-03982; Friedman Bag Co., Textile Div., Portland, OR: June 19, 1999.

NAFTA-TAA-04012; Walpole, Inc., A Div. of Marino Technologies, Inc., Mt. Holly, NJ: June 30, 1999.

NAFTA-TAA-04056; Medical Parameters, Inc., d/b/a Arrow/Walrus, Woburn, MA: July 24, 1999.

NAFTA-TAA-04092; Ledalite Architectural Products, Genlyte-Thomas Group, Kent, WA: August 9, 1999.

NAFTA-TAA-04030; C and M Corp., Wauregan, CT: July 13, 1999.

NAFTA-TAA-04044; Tri State Data Products, Feasterville, PA: July 24, 1999.

NAFTA-TAA-04054; Victor Equipment Co., Abilene, TX: August 3, 1999.

NAFTA-TAA-04078; Wolverine Worldwide, Inc., Kirksville, MO: July 17, 1999.

I hereby certify that the aforementioned determinations were issued during the month of August, 2000. Copies of these determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: September 5, 2000.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 00-23344 Filed 9-11-00; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-3721]

Rockwell Automation; Sheet Metal Fabrication Department; Euclid Plant; Euclid, Ohio; Notice of Revised Determination on Reopening

By letter of July 28, 2000, Local 737 of the International Union of Electronic, Electrical, Salaried, Machine and

Furniture Workers, AFL-CIO (IUE), request administrative reconsideration of the Department's Negative Determination Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance (NAFTA-TAA) applicable to workers and former workers of Rockwell Automation, Euclid Plant, Euclid, Ohio. The denial was issued on July 17, 2000, and was published in the **Federal Register** on August 1, 2000 (65 FR 46954).

The IUE Local 737 presents evidence that the shift in production to Canada of the housing (cabinets) produced by workers in the Sheet Metal Fabrication Department, occurred in the early part of 1999, not 1998 as indicated in the Department's negative determination for the Rockwell Automation petition. Therefore, worker separations occurred within one year of the date of the petition.

At the subject firm's Euclid, Ohio plant, the workers in the Sheet Metal Fabrication Department are separately identifiable from those workers at the plant engaged in employment related to wiring and testing of the final product, control cabinets.

Conclusion

After careful consideration of the new facts obtained on reopening, it is concluded that the workers of Rockwell Automation, Sheet Metal Fabrication Department, Euclid Plant, Euclid, Ohio, were adversely affected by the shift in production of sheet metal cabinets to Canada. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

"All workers of Rockwell Automation, Sheet Metal Fabrication Department, Euclid Plant, Euclid, Ohio, engaged in employment related to the production of sheet metal cabinets, who became totally or partially separated from employment on or after February 4, 1999, through two years from the date of certification, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974."

Signed at Washington, D.C. this 30th day of August 2000.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 00-23345 Filed 9-11-00; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for NAFTA Transitional Adjustment Assistance

Petitions for transitional adjustment assistance under the North American Free Trade Agreement-Transitional Adjustment Assistance Implementation Act (Pub. L. 103-182), hereinafter called (NAFTA-TAA), have been filed with State Governors under Section 250 (b)(1) of Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended, are identified in the Appendix to this Notice. Upon notice from a Governor that a NAFTA-TAA petition has been received, the Director of the Division of Trade Adjustment Assistance (DTAA), Employment and Training Administration (ETA), Department of Labor (DOL), announces the filing of the petition and takes action pursuant to paragraphs (c) and (e) of Section 250 of the Trade Act.

The purpose of the Governor's actions and the Labor Department's investigations are to determine whether the workers separated from employment on or after December 8, 1993 (date of enactment of Pub. L. 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because of increased imports from or the shift in production to Mexico or Canada.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing with the Director of DTAA at the U.S. Department of Labor (DOL) in Washington, DC provided such request is filed in writing with the Director of DTAA not later than September 22, 2000.

Also, interested persons are invited to submit written comments regarding the subject matter of the petitions to the Director of DTAA at the address shown below not later than September 22, 2000.

Petitions filed with the Governors are available for inspection at the Office of the Director, DTAA, ETA, DOL, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, D.C. this 30th day of August, 2000.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.