

TA-W-38,771; *Elkins Hardwood Dimension, Elkins, West Virginia*: February 9, 2000.
 TA-W-38,977; *The Doe Run Co., Smelter Division, Herculaneum, MO*: March 16, 2000.
 TA-W-38,749; *Guilford Mills, Inc., Herkimer, NY*: February 20, 2001.
 TA-W-38,897; *J.E. Morgan Knitting Mills, Inc., Tamaqua, PA*: March 7, 2000.
 TA-W-38,672; *TECO Westinghouse Motor Co., Round Rock, TX*: January 30, 2000.
 TA-W-38,858; *The Goodyear Tire and Rubber Co., Cartersville, GA*: June 17, 2000.
 TA-W-38,714; *Spec Cast, Dyersville, IA*: February 3, 2000.

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 April, 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 in ports 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-04651; *Discwax Corp., Stanley, NC*
 NAFTA-TAA-04640; *Hastings Manufacturing Co., Hastings, MI*
 NAFTA-TAA-04542; *Weyerhaeuser Co., Mt. Pine Wood Products, Mt. Pine, AR*
 NAFTA-TAA-04630; *Sierra Pacific Industries, Loyalton, CA*
 NAFTA-TAA-04439 & A, B; *Outboard Maine Corp. (OMC), Andrews, NC, Burnsville, NC and Spruce Pine, NC*
 NAFTA-TAA-04444; *Outboard Marine Corp. (OMC), Waukegan, IL*
 NAFTA-TAA-04440; *Outboard Marine Corp. (OMC), Beloit, WI*
 NAFTA-TAA-04597; *Reptron Manufacturing Services, Gaylord, MI*
 NAFTA-TAA-04734; *Pleasant River Lumber Co., Dover Foxcroft, ME*
 NAFTA-TAA-04699; *American Steel Foundries, ASK-Keystone, Inc., East Chicago, IL*

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

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

NAFTA-TAA-04755; *Diamler Chrysler AG, Auburn Hills, MI*
 NAFTA-TAA-04746; *Small Woodlands Services, Inc., Eagle Point, OR*
 NAFTA-TAA-04767; *Precision Twist Drill Co., Sandvik Division, Crystal Lake, IL*

Affirmative Determinations NAFTA-TAA

NAFTA-TAA-04645; *Acme Die Casting, Racine, WI*: March 9, 2000.
 NAFTA-TAA-04711; *Snuffy's Pet Products, Inc., McConnellsburg, PA*: March 30, 2000.
 NAFTA-TAA-04687; *Avaya, Inc., Formerly Known as Lucent Technologies, Shreveport, LA*: March 15, 2000.
 NAFTA-TAA-04577; *GST Steel Co., Kansas City, MO*: February 13, 2000.
 NAFTA-TAA-04490; *Fleischmann's Yeast, Div. of Burns Philip Food, Inc., Gastonia, NC*: January 25, 2000.
 NAFTA-TAA-04689; *Cajun Bag and Supply Corp., Rayne, LA*: March 23, 2000.
 NAFTA-TAA-04742; *Grove U.S. LLC, Shady Grove, PA*: March 28, 2000.
 NAFTA-TAA-04554; *Haggar Clothing Co., Edinburg Manufacturing, Edinburg, TX and Haggar Clothing Co., Weslaco Operations, Weslaco, TX*: May 1, 2001.
 NAFTA-TAA-04698; *Cummins, Inc., Cummins Power Generation, St. Peter, MN*: March 29, 2000.

I hereby certify that the aforementioned determinations were issued during the month of April, 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: May 7, 2001.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 01-12562 Filed 5-17-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,024]

Alabama Structural Beams, a Division of Gulf States Steel, Gadsden, AL; Notice of Negative Determination Regarding Application for Reconsideration

By application dated January 15, 2001, the attorney for United Steelworkers of America, Local 2176, requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on December 5, 2000, and was published in the **Federal Register** on December 21, 2000 (65 FR 80456).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Alabama Structural Beams, a Division of Gulf States Steel, Gadsden, Alabama, was denied because the "contributed importantly" group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met. The "contributed importantly" test is generally demonstrated through a survey of customers of the workers' firm. None of the customers reported purchasing imported I-beams.

The petitioner states that the workers at the Structural Beams plant should be eligible to apply for the program benefits because the Structural Beams plant and the parent company, Gulf States Steel, were on in the same. They shared the same Board of Directors, payroll, on-site medical facilities, workers compensation, and health insurance. The petitioner adds that Alabama Structural Beams was part of Gulf States Steel in every sense except that the pay scale and employee union contract was different. When Gulf States Steel closed, so too did the subject firm plant. The petitioner states that the Structural Beam plan relied on the parent company for the raw material to produce the I-beams. The I-beams were sold mainly to manufacturers of mobile homes.

The source of the raw material to produce the I-beams is irrelevant in this case. Workers of the Alabama Structural Beams plant could be certified only if they supplied the I-beams to Gulf States Steel (whose workers were certified eligible to apply for TAA).

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, DC, this 30th day of April 2001.

Linda A. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-12564 Filed 5-17-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,507]

Dresser-Wayne Division (Halliburton) Salisbury, MD; Notice of Negative Determination Regarding Application for Reconsideration

By Application of February 8, 2001, the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Local 354, request administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA).

The denial notice was signed on January 17, 2001, and published in the **Federal Register** on February 8, 2001 (66 FR 9599).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, filed on behalf of workers producing retail fuel dispensers at Dresser-Wayne Division (Halliburton) in Salisbury, Maryland, was denied because the group eligibility requirement of Section 222(2) of the Trade Act of 1974, as amended, was not met. Sales and production of articles produced at the plant increased from 1999 to 2000.

The petitioner provided a copy of an e-mail from a company official at Dresser-Wayne to the President of UAW, Local 354, indicating that jobs were lost at the plant because some of the work at the subject firm plant was being sent to Brazil.

The transfer of work, or shift of production, is not a basis for worker group certification under the worker adjustment assistance provisions of Section 222 of the Trade Act of 1974.

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 decisions. Accordingly, the application is denied.

Signed at Washington, DC, this 30th day of April, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-12565 Filed 5-17-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-37,964, TA-W-37,964A]

Hampton Industries, Kinston, NC; Hampton Industries Distribution Center, Snow Hill, NC; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on October 11, 2000, applicable to workers of Hampton Industries, Kinston, North Carolina. The notice was published in the **Federal Register** on November 1, 2000 (65 FR 65330).

At the request of the Company, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of Men's and boys' woven and knit shirts. New information shows that worker separations have occurred at the subject firms' Distribution Center located in Snow Hill, North Carolina. The Snow Hill, North Carolina location provided distribution services for Hampton Industries' production facilities including Kinston, North Carolina.

Accordingly, the Department is amending the certification to cover the workers of Hampton Industries, Distribution Center, Snow Hill, North Carolina.

The intent of the Department's certification is to include all workers of Hampton Industries who were adversely affected by increased imports of men's and boys' woven and knit shirts.

The amended notice applicable to TA-W-37,964 is hereby issued as follows:

All workers of Hampton Industries, Kinston, North Carolina (TA-W-37,964) and Distribution Center, Snow Hill, North Carolina (TA-W-37,964A) who became totally or partially separated from employment on or after July 20, 1999, through October 11, 2002, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 30th day of April, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-12566 Filed 5-17-01; 8:45 am]

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