

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-36,600]

Copper Range Company, White Pine, Michigan; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Office of Trade Adjustment Assistance for workers at the Copper Range Company, White Pine, Michigan. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-36,600; Copper Range Company White Pine, Michigan (November 15, 1999)

Signed at Washington, DC this 17th day of November, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31232 Filed 12-1-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-36,080]

Mead Corporation, Mead School and Office Products, Binder Department, Tablet Department, Paper Filler Department, Saint Joseph, Missouri; 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 September 15, 1999, applicable to workers of Mead Corporation, Binder Department, Mead School and Office Products, Saint Joseph, Missouri. The notice was published in the **Federal Register** on October 14, 1999 (64 FR 55751).

At the request of the petitioner, the Department reviewed the certification for workers of the subject firm. The workers are engaged in employment related to the production of binders, notebook cases and planners. New findings show that worker separations have occurred at the subject firm's

Tablet and Paper Filler Departments at the Saint Joseph, Missouri plant.

The intent of the Department's certification is to include all workers of Mead Corporation, Mead School and Office Products affected by increased imports. Accordingly, the Department is amending the worker certification to include the workers of the Tablet and Paper Filler Departments.

The amended notice applicable to TA-W-36,080 is hereby issued as follows:

All workers of Mead Corporation, Mead School and Office Products, Binder Department, Tablet Department and Paper Filler Department, Saint Joseph, Missouri, who became totally or partially separated from employment on or after March 25, 1998 through September 15, 2001, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 18th day of November 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31237 Filed 12-1-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-36,692]

Smith Tool Ponca City, Oklahoma; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Office of Trade Adjustment Assistance for workers at the Smith Tool, Ponca City, Oklahoma. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-36,692; Smith Tool Ponca City, Oklahoma (November 15, 1999)

Signed at Washington, DC this 17th day of November, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31231 Filed 12-1-99; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-36,127]

Tri-Pro Cedar Products, Spokane, Washington; Notice of Negative Determination Regarding Application for Reconsideration

By an application dated October 25, 1999, an attorney for the petitioners (hereafter referred to as petitioners) requested administrative reconsideration of the subject petition for trade adjustment assistance. The denial notice was signed on August 27, 1999 and published in the **Federal Register** on September 29, 1999 (64 FR 52539).

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 investigation findings show that the workers were primarily engaged in employment related to the production of cedar products.

The Department's denial was based on the fact that the "contributed importantly" test of the increased import criterion of the Group Eligibility Requirements of the Trade Act was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers.

The Department's survey of the Tri-Pro Cedar Products' customers shows that none of the customers were decreasing purchases from Tri-Pro Cedar or increasing their reliance on import purchases of articles like or directly competitive with those produced at the Spokane mill. Other findings show that the company chose to close the Spokane mill and shift production of cedar products to another domestic facility.

The petitioners assert that in order for the subject firm to compete with the price advantage of imports over their product, production at Tri-Pro Cedar was consolidated. The company could not switch to alternate production of spruce/pine fir products because the price advantage imports held would have made production of those items

unprofitable. The petitioners believe TAA certification should also be given when a company cedes to imports products which it is capable of completion at the local facility when the advantages imports hold make such manufacturing economically unfeasible.

The Department cannot issue a worker group certification based on speculation of what could have been produced at the workers' firm. Rather, the Trade Act of 1974, as amended, requires the Department to examine the impact of imports of articles like or directly competitive with those produced by the petitioning workers' firm. Furthermore, price is not a criterion for a worker group certification under the Trade Act of 1974, as amended.

The petitioners cite a Court case that they believe to be analogous to their situation, *United Electrical, Radio and Machine Workers of America v. U.S. Department of Labor*, which sustained Labor's certification of a company that produced railway systems when the company substituted imports for manufacturing done at the plant.

In the Court case cited by the petitioners, the worker group was certified based on the finding that the subject firm substituted imports for production that was formerly done at the workers' firm. That is not the case for the workers of Tri-Pro Cedar Products; there were no company imports of articles like or directly competitive with those produced at the Spokane mill.

The petitioners add that they believe that workers in the wood products industry are exactly the type of workers that Congress intended to benefit from the TAA program.

In accordance with the Trade Act of 1974, as amended, the Department does not conduct its TAA investigation on an industry-wide basis.

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 17th day of November 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31235 Filed 12-1-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-36,743]

Universal Music & Video Distribution, Incorporated Illinois Returns Processing Center Pinckneyville, Illinois; Dismisall of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Office of Trade Adjustment Assistance for workers at the Universal Music & Video Distribution, Incorporated, Illinois Returns Processing Center, Pinckneyville, Illinois. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-36,743; Universal Music & Video Distribution, Incorporated, Illinois Returns Processing Center, Pinckneyville, Illinois (November 18, 1999)

Signed at Washington, DC this 19th of November, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31233 Filed 12-1-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-3050]

Mead Corporation, Mead School and Office Products, Binder Department, Tablet Department, Paper Filler Department, Saint Joseph, Missouri; 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, as amended (19 U.S.C. 2273), the Department of Labor issued a Certification of Eligibility to Apply for NAFTA—Transitional Adjustment Assistance on September 15, 1999, applicable to workers of Mead Corporation, Mead School and Office Products, Binder Department located in Saint Joseph, Missouri. The notice was published in the **Federal Register** on October 14, 1999 (64 FR 55753).

At the request of the petitioner, the Department reviewed the certification

for workers of the subject firm. The workers are engaged in employment related to the production of binders, notebook cases and planners. New findings show that worker separations have occurred at the subject firm's Tablet and Paper Filler Departments at the Saint Joseph, Missouri plant.

The intent of the Department's certification is to include all workers of Mead Corporation, Mead School and Office Products affected by the shift [in production to Mexico. Accordingly, the Department is amending the worker certification to include the workers of the Tablet and Paper Filler Departments.

The amended notice applicable to NAFTA-3050 is hereby issued as follows:

All workers of Mead Corporation, Mead School and Office Products, Binder Department, Tablet Department and Paper Filler Department, Saint Joseph, Missouri, who became totally or partially separated from employment on or after March 24, 1998 through September 15, 2001, are eligible for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, DC this 18th day of November 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-31236 Filed 12-1-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-3390]

RAMA Group of Companies, Inc. Charm Graphics Cheektowaga, New York; 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 2, Title II, of the Trade Act of 1974, as amended (19 USC 2331), an investigation was initiated on August 18, 1999, in response to a petition filed on the same date on behalf of RAMA Group of Companies, Inc., Charm Graphics, Cheektowaga, New York.

A certification applicable to workers at the subject firm was issued on September 23, 1999, and is currently in effect (NAFT-3458). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.