

(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 request for reconsideration claims that the workers are facing a plant closing and job loss as the result of Hayes Wheels International, Inc. moving work and awarding new work to their Europe, Mexico, Venezuela plants.

In order for the Department to issue a worker group certification, all of the group eligibility requirements of Section 222 of the Trade Act must be met. Review of the investigation findings show that criterion (3) was not met.

Sales and production at the subject firm increased from 1995 to 1996 and from January through September 1997 over the corresponding 1996 period. The company is in the process of shifting work performed at the subject firm to two other domestic corporate facilities. The decision to close the facility down is attributed to corporate excess capacity and an outmoded manufacturing facility. The investigation further revealed that although the company imported wheels, the quantity was not significant and was not the contributing factor in the terminations at the subject firm.

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 17th day of November 1997.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-33,513; TA-W-33,513X]

Levi Strauss and Company; Goodyear Cutting Facility and El Paso Field Headquarters 1440 Goodyear, El Paso, Texas; San Benito, Texas, Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 7, 1997, applicable to workers of Levi Strauss and Company, located in El Paso, Texas. The notice was published in the **Federal Register** on September 17, 1997 (62 FR 48888). The certification was subsequently amended to include the subject firm workers at the El Paso Field Headquarters in El Paso, Texas. The amendment was issued on September 14, 1997 and published in the **Federal Register** on September 30, 1997 (62 FR 51155).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information received by the State shows that worker separations have occurred at the San Benito, Texas plant of Levi Strauss and Company. The workers in San Benito are engaged in employment related to the production of men's, women's and youth's denim jeans and jackets. Based on this new information, the Department is amending the certification to cover the subject firms' workers at the San Benito, Texas plant.

The intent of the Department's certification is to include all workers of Levi Strauss and Company who were adversely affected by increased imports of men's, women's and youth's denim jeans and jackets.

The amended notice applicable to TA-W-22,513 is hereby issued as follows:

"All workers of Levi Strauss and Company, Goodyear Cutting Facility and El Paso Field Headquarters, El Paso, Texas (TA-W-33,513) and San Benito, Texas (TA-W-33,513X) who were engaged in employment related to the production of men's, women's and youth's denim jeans and jackets who became totally or partially separated from employment on or after May 13, 1996 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington D.C. this 10th day of November 1997.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-31,704 and TA-W-31,704A]

Parker & Parsley Petroleum USA, Incorporated, A/K/A Pioneer Natural Resources USA, Inc., Midland, Texas and Various Locations in Texas (except Midland); Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on February 2, 1996, applicable to all workers of Parker & Parsley Petroleum USA, Incorporated located in Midland, Texas. The notice was published in the **Federal Register** on February 21, 1996 (61 FR 6660). The certification was amended on February 12, 1996, to include workers at the Parker & Parsley operations at various locations in Texas. The notice of amendment was published in the **Federal Register** on February 23, 1996 (61 FR 7023).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers of Parker & Parsley Petroleum are engaged in employment related to the production of crude oil and natural gas. New information provided by the company shows that some of the workers of Parker & Parsley have had their wages reported to the Unemployment Insurance tax account of Pioneer Natural Resources USA, Inc.

The intent of the Department's certification is to include all workers of the subject firm who were adversely affected by increased imports. Accordingly, the Department is amending the certification to include workers of Pioneer Natural Resources USA, Inc.

The amended notice applicable to TA-W-31,704 is hereby issued as follows:

All workers of Parker & Parsley Petroleum USA, Incorporated, also known as Pioneer Natural Resources USA, Inc., Midland, Texas (TA-W-31,704), operating at various