[FR Doc. 98–30107 Filed 11–9–98; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–34, 326]

Rubbermaid-Cortland, Inc., Cortland, New York; Notice of Negative Determination on Reconsideration

On August 25, 1998, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on September 4, 1998 (63 FR 47327).

The Department initially denied TAA to workers of Rubbermaid-Cortland because the ''contributed importantly'' group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. Production and sales at the Cortland, New York plant increased during the relevant time period. Furthermore, in early 1998, the production of molded plastic household products was shifted from Cortland to other domestic Rubbermaid production facilities. The workers at the subject firm were engaged in employment related to the production of molded plastic household products.

The petitioners asserted that the subject firm shifted production of toolboxes to Canada and Europe and imported into the U.S. and further, that imports of toolboxes and other household products from other countries impacted on the subject firm's market share.

On reconsideration, the Department requested that the Rubbermaid, Incorporated provide additional information about foreign toolbox production, other foreign production of household products, and information concerning overall sales and production for the Household Products Division.

Additional information provided by the company indicates that production equaling less than 10 percent of the former production of toolboxes at Cortland was transferred to another country for three months then transferred back to another domestic facility of the company. The investigation also revealed that the subject firm is not importing like or directly competitive articles into the U.S. from recently acquired facilities in Europe. Further, the investigation revealed that the sales by Rubbermaid's Household Products Division is relatively unchanged.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Rubbermaid-Cortland, Incorporated, Cortland, New York.

Signed at Washington, DC, this 21st day of October 1998.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 98–30109 Filed 11–9–98; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–34,398, TA–W–34,398A]

Semitool, Inc.; Kalispell, Montana and Maine Service Center, South Portland, Maine; Amended Certification Regarding Eligibility To Apply for Working Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Working Adjustment Assistance on May 28, 1998, applicable to all workers of Semitool, Incorporated located in Kalispell, Montana. The notice was published in the **Federal Register** on June 22, 1998 (63 FR 33958).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information received by the company shows that worker separations occurred at the Maine Service Center of Semitool, Incorporated located in South Portland Maine. Workers at the South Portland, Maine location provide administrative and customer support services for Semitool's wafer processing equipment production facilities including Kalispell, Montana.

The intent of the Department's certification is to include all workers of Semitool, Incorporated who were adversely affected by increased imports. Accordingly, the Department is amending certification to cover the workers of Semitool, Incorporated, Maine Service Center, South Portland, Maine.

The amended notice applicable to TA–W–34,398 is hereby issued as follows:

All workers of Semitool, Incorporated, Kalispell, Montana (TA–W–34,398), and the Maine Service Center, South Portland, Maine (TA–W–34,398A) who became totally or partially separated from employment on or after March 14, 1997 through May 28, 2000 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 20th day of October, 1998.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 98–30111 Filed 11–9–98; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–34,116, TA–W–34,116A]

Tonkawa Gas Processing Woodward, Oklahoma and Delhi Gas Pipeline Corp., Dallas, Texas; Notice of Negative Determination on Reconsideration on Remand

The United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *Former Employees of Tonkawa Gas Processing and Delhi Pipeline Corp.* v. *Secretary of Labor,* No. 98–04–00889.

The Department's initial denial for the workers of Tonkawa Gas Processing, Woodward, Oklahoma and Delhi Gas Pipeline Corporation, Dallas, Texas issued on March 16, 1998 and published in the **Federal Register** on April 3, 1998 (63 F.R. 16,574), was based on the fact that criterion (3) of the group eligibility requirements of section 222 of the Trade Act of 1974, as amended, was not met.

The petitioners request for reconsideration resulted in a Dismissal of Application for Reconsideration which was issued on April 7, 1998 and published in the **Federal Register** on April 22, 1996 (63 FR 19,756). The Department's review of the application for reconsideration found no new substantial information which would bear importantly on the Department's determination.

On remand, the Department contacted company officials, both from the parent company and the subject facility, to obtain (1) information on the business of Delhi Gas Pipeline and it's relationship with Tonkawa Gas processing; (2) information on the business of Tonkawa Gas Processing and the Woodward, Oklahoma facility; and (3) additional information on production and employment at the subject facility.

Tonkawa Gas Processing is a wholly-owned subsidiary of the Delhi Group

which was sold to Koch Industries, Inc. in November, 1997. The Tonkawa Gas Processing facility in Woodward, Oklahoma processes liquefied natural gases, e.g. Ethane, Propane, Normal Butane, and Isobutane. The gas processed by the Woodward facility is only gas from Delhi pipelines. Production at the Woodward facility remained relatively constant during both 1996 and 1997. In December, 1997, with the acquisition of the Delhi Group by Koch Industries, an employment streamlining was implemented at the Woodward facility which resulted in a net employment loss of one position, a plant operator.

It is determined, therefore, upon further investigation, that employment declines at the Woodward facility were not as a result of a decline in production at the facility but rather, were the result of attempts by the firm acquiring the subject facility to increase operating efficiencies. Further, declines in production at the facility subsequent to the acquisition and the net employment reduction were attributable to a decline in the supply of raw materials (natural gas) which were used in the production of liquefied gas products at that facility and could not, therefore, have been attributable to increased imports of like or directly competitive products. Further, a review of imports of liquefied natural gases indicates that imports declined during 1997 compared to the previous year and are less than 10% relative to domestic production.

Conclusion

After consideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Tonkawa Gas Processing, Woodward, Oklahoma and Delhi Gas Pipeline Corporation, Dallas, Texas.

Signed at Washington, DC, this 23rd day of October 1998.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 98–30110 Filed 11–9–98; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration (ETA)

Unemployment Compensation for Ex-servicemembers (UCX) Program: Unemployment Insurance Program Letter Amending the Consolidated List of ''Acceptable'' Narrative Reasons for Separation Transmitted in UIPL No. 3–95, Change 1 to Include Those Dealing With ''Inaptitude.''

ETA has responsibility for administration of the UCX program, providing unemployment compensation benefits for ex-servicemembers. ETA issues interpretations affecting the UCX program in Unemployment Insurance Program Letters (UIPLs) to the State Employment Security Agencies (SESAs). The UIPL described below is published in the **Federal Register** in order to inform the public.

UIPL 3–95, Change 2

To be eligible for UCX, an ex-servicemember must, among other requirements, meet the definition of ''Federal service.'' This requires that the servicemember be separated under honorable conditions and have completed a first full term of service. If separated before completing the first full term, the separation must be for, among other reasons, ''inaptitude,'' but only if the service was continuous for at least 365 days. On December 6, 1994, UIPL No. 3–95 was issued to all SESAs formally transmitting a new consolidated list of acceptable narrative reasons for separation, except those for ''inaptitude,'' and instructions for their use in determining individual eligibility for UCX benefits.

UIPL No. 3–95 informed the SESAs that ETA would amend the list of ''acceptable'' narrative reasons for separation when it was determined which narrative reasons for separation were for ''inaptitude.'' DOL has now finalized the list of ''acceptable'' narrative reasons for separation dealing with ''inaptitude'' in UIPL No. 3–95, Change 2.

Dated: November 5, 1998.

Raymond L. Bramucci,

Assistant Secretary of Labor.

DIRECTIVE: Unemployment Insurance Program Letter No. 3–95, Change 2

TO: All State Employment Security Agencies

FROM: Grace A. Kilbane, Director, Unemployment Insurance Service

SUBJECT: UCX Narrative Reasons for Separation from Military Service

1. *Purpose.* To amend the consolidated list of ''acceptable'' narrative reasons for separation transmitted in Unemployment Insurance Program Letter (UIPL) No. 3–95 and UIPL No. 3–95, Change 1 to include those dealing with ''inaptitude.''

2. *References.* UIPL No. 3–95; UIPL No. 3–95, Change 1; 5 U.S.C. 8521(a)(1); and 20 CFR Part 614.

3. *Background.* On December 6, 1994, UIPL No. 3–95 was issued to all State Employment Security Agencies (SESAs) formally transmitting a new consolidated list of acceptable narrative reasons for separation, except those for ''inaptitude,'' and instructions for their use in determining individual eligibility for UCX benefits. The military services began to use exclusively the consolidated list of ''acceptable'' narrative reasons for separation after October 1, 1993.

After the issuance of UIPL No. 3–95, the Department of Labor (DOL) received several inquiries from SESAs regarding the effective date of the new instructions for using the consolidated list of acceptable narrative reasons for separation that was contained in UIPL No. 3–95. UIPL No. 3–95 stated that the new consolidated list of acceptable narrative reasons for separation was effective for all separations from military service on or after December 6, 1994, the date of the directive. Since the DOL did not provide for a retroactive application of the consolidated list in UIPL No. 3–95, some SESAs assumed that UIPL No. 25–83 and Changes 1-12 were controlling for the period October 1, 1993, to December 5, 1994.

Consequently, UIPL No. 3–95, Change 1 was issued revising the effective date of UIPL No. 3–95 and provided clarifying instructions concerning the effective dates of lists of ''acceptable'' narrative reasons for separation.

Further, UIPL No. 3–95 informed the SESAs that the DOL would amend the list of ''acceptable'' narrative reasons for separation when it was determined which narrative reasons for separation were for ''inaptitude.'' DOL has now finalized the list of ''acceptable'' narrative reasons for separation dealing with ''inaptitude.''

The contents of this directive will also be issued as a Change 14 to *ET Handbook No. 384, Second Edition.*

4. *DOL Definition of ''Inaptitude.''* DOL defines ''inaptitude'' as being ''unsuitable for military service for reasons largely related to personal characteristics not reflected by acts of serious misbehavior.''

5. *Narrative Reasons for Separation Meeting DOL's Definition of Inaptitude.* DOL determined that 20 narrative reasons, listed in the attachment to this directive, constitute ''inaptitude'' under the above definition for UCX qualifying purposes. DOL estimates that this broader definition will allow approximately 2,500 to 3,000 additional claimants per year to qualify for UCX.

6. *Effective Date.* The narrative reasons for separation that DOL has determined constitute ''inaptitude'' within the meaning of 5 U.S.C. 8521(a)(1)(B)(ii)(IV) shall be effective for all initial claims filed on and after the date of this directive. However, where State law permits, a monetary redetermination must be issued when: (1) a claimant requests a redetermination on a new or previously denied claim or files an additional or renewed claim for benefits, and (2) the claimant's military service is within