

New information shows that all workers will be separated at Salant Corporation's Carrizo Springs, Texas location when it closes permanently May 21, 1999. The workers provide distribution services for Salant Corporation's production facility in Obion, Tennessee.

Accordingly, the Department is amending the certification to cover the workers of Salant Corporation, Obion-Denton, Carrizo Springs, Texas.

The intent of the Department's certification is to include all workers of Salant Corporation, Obion-Denton who were adversely affected by increased imports.

The amended notice applicable to TA-W-35,612 is hereby issued as follows:

All workers of Salant Corporation, Obion-Denton, Obion, Tennessee (TA-W-35,612) and Carrizo Springs, Texas (TA-W-35,612B) who became totally or partially separated from employment on or after January 25, 1998 through March 15, 2001 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 26th day of April, 1999.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 99-11858 Filed 5-10-99; 8:45 am]

BILLING CODE 4510-30-M

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 April, 1999.

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.

(2) 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-35,530; *Weinman Pump and Supply Co., Pittsburgh, PA*
 TA-W-35,606; *P and M Cedar Products, Pioneer, CA*
 TA-W-35,503 & A; *Recmix of Pennsylvania, Inc., Canonsburg, PA & Sarver, PA*
 TA-W-35,563; *Cutout's, Inc., Fall River, MA*
 TA-W-35,583; *Branch Cheese, Saputo Cheese USA, Branch, WI*
 TA-W-35,727; *Martin Marietta Magnesia Specialities, Inc., Manistee, MI*
 TA-W-35,604; *Universal Stainless & Alloy Products, Inc., Titusville, PA*
 TA-W-35,648; *Crown Cork and Seal Co., Inc., Walla Walla, WA*
 TA-W-35,710; *Forrest Yarns, Inc., Newport, ME*
 TA-W-35,721; *Newark Paperboard, Inc., Woodburn, OR*
 TA-W-35,865; *NF & M International, Manaca, PA*
 TA-W-35,686; *A.C. Railroad Service Co., McKees Rocks, PA*
 TA-W-35,616; *Erie Forge and Steel, Inc., Erie, PA*

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA-W-35,798; *Ryerson Tull, Inc., Thylin Steel Co., Easton, PA*
 TA-W-35,823; *Land Management Group, Houston, TX*
 TA-W-35,239; *Bull HN Worldwide Information Systems, Inc., Phoenix, AZ*
 TA-W-35,640; *Kitty Hawk International (Formerly American International Airways), Oscoda, MI*
 TA-W-35,637; *Stage II Apparel Corp., New York, NY*
 TA-W-35,681; *Apex Machine Shop, Williston, ND*
 TA-W-35,671; *Snap-On-Tools, Ottawa, IL*
 TA-W-35,643; *Peak Oilfield Service Co., Anchorage, AK*

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

TA-W-35,904; *Carhartt, Inc., McKenzie, TN*

TA-W-35,835; *Eaton Corp., Actuator & Sensor Div., Hamilton, IN*
 TA-W-35,925; *Ansell Protective Products, Tarboro, NC*
 TA-W-35,930; *Mueller Industries, Inc., Wynne, AR*
 TA-W-35,871; *Parnell's peanuts Div. Of Morven Partners, Gorman, TX*
 TA-W-35,692; *Rock-Tenn Co. Laminated Paperboard Products Div., Otsego, MI*
 TA-W-35,882; *Simula, Inc., Aircraft Industries Corp., Milwaukee, WI*
 TA-W-35,884; *Siebe Appliance Controls, Cooking and Refrigeration Div., Winterset, IA*
 TA-W-35,570; *National Standard Co, Corbin, KY*
 TA-W-35,433; *Sumitomo Machinery Corp of America, Chesapeake, VA and Operating at the Following Locations: A; Teterboro, NJ, B; Corona, CA, C; Glendale Heights, IL, D; Ft. Washington, PA*
 TA-W-35,936; *Senior Flexonics, OSI Div., Allison Park, PA*
 TA-W-35,539; *Wendt Corp., Tonawanda, NY*

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

TA-W-35,276 & A; *Dawson Production Services, Midland, TX and Carthage, 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 with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.
 TA-W-35,656; *Mead Corp., Mead Paper Div., Chillicothe, OH*

The investigation revealed that criteria (2) has not been met. Sales or production did not decline during the relevant period as required for certification.
 6TA-W-35,799; *Louisiana Pacific Corp., Rogue River Veneer Plant, Rogue River, OR*

The investigation revealed that criteria (1) and criteria (2) have not been met. A significant number or proportion of the workers did not become totally or partially separated from employment as required for certification. Sales or production did not decline during the relevant period as required for certification.

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-35,452; C.P. Chemicals, Inc., Sewaren, NJ: December 21, 1997
- TA-W-35,282; Compaq Computer Corp., Houston, TX: November 11, 1997
- TA-W-35,501; Stitches, Inc., El Paso, TX: February 27, 1998
- TA-W-35,581; OshKosh B'Gosh, Liberty, KY: February 7, 1999
- TA-W-35,555; Lawrence Electronics, Inc., Tulsa, OK: January 2, 1998
- TA-W-35,552; Mountain West Colorado Aggregate (MWCA), Kamiah Plant, Kamiah, ID: January 8, 1998
- TA-W-35,537; Porcelanite, Inc., Lexington, NC: January 13, 1998
- TA-W-35,445; International Paper, Lock Haven, PA: December 15, 1997
- TA-W-35,451; The Pillsbury Co., Haagen-Dasz Plant, Woodbridge, NJ: December 21, 1997
- TA-W-35,294, A & B; Altura Energy Ltd., Houston, TX and Operations at Various Locations in the State of TX and NM: November 10, 1997
- TA-W-35,398; Koppel Steel Corp., Koppel, PA: December 10, 1997
- TA-W-35,659; Buster Brown Apparel, Inc., Chattanooga, TX: January 28, 1998
- TA-W-35,655; JB Sportswear, Union, MS: February 2, 1998
- TA-W-35,428; Cranston Print Works, Co., Webster, ME: December 7, 1997
- TA-W-35,327; Fashions International, Scranton, PA: November 24, 1997
- TA-W-35,542 & A; Wilkens Industries, Inc., Athens, GA and Jefferson, GA: February 15, 1998
- TA-W-35,652 & A; Dudley Kebow, Inc., Oceanside, CA and Albuquerque, NM: January 28, 1998
- TA-W-35,569; Missouri Valley Perforating, Inc., Kenmare, ND: January 17, 1998
- TA-W-35,595; Oxford of Vidalia, Sewing Plant, Vidalia, GA: January 15, 1998
- TA-W-35,475; Watseka L.F., Inc., Watseka, IL: December 27, 1997
- TA-W-35,691 A & B; Star Tool, Hobbs, NM, Odessa, TX and Brownfield, TX: February 1, 1998
- TA-W-35,317; Tycom Corp., Minnesota Div., Arden Hills, MN: November 25, 1997
- TA-W-35,382; Coach Leatherware Corp., Carlstadt, NJ: November 30, 1997
- TA-W-35,378; Biltmore Textile Co., Inc., New York NY: December 2, 1997
- TA-W-35,274; W.L. Gore & Associates, Inc., Electronic Products Div., Phoenix, AZ: November 16, 1997
- TA-W-35,422; Magura USA Corp., Olney, IL: December 10, 1997
- TA-W-35,404; AM Petroleum, Inc., Upton, WY: December 9, 1997
- TA-W-35,466; American Energy Services, Midland, TX: December 21, 1997
- TA-W-35,687; Ensign Oil and Gas, Inc., Denver, CO: January 25, 1998
- TA-W-35,213; Lady Carol Dresses, A Subsidiary of Duryea Industries, Duryea, PA: October 23, 1997
- TA-W-35,416; J.S. Lamy Manufacturing Co., Sedalia, MO: November 30, 1997
- TA-W-35,477; Southern Container Corp., Pre-Print Dept, Dayton, NJ: December 18, 1997
- TA-W-35,215; Irving Tanning Co., Hartland, ME: November 3, 1997
- TA-W-35,836; Gloria Lingerie, Long Island City, NY: February 14, 1998
- TA-W-35,873; Brand-S Corp., Superior Hardwoods Div., Corvallis, OR: March 4, 1998
- TA-W-35,711; Sperry-Sun Drilling Services, Headquartered in Houston, TX & Operating at Other Locations in The Following States: A; AK, B; CA, C; LA, D; MI, E; OK, F; TX G; WY: February 17, 1998
- TA-W-35,711AA; Baroid Drilling Fluids, Headquartered in Houston, TX & Operating at Other Locations in The Following States: AB; AK, AC; AR, AD; AZ, AE; CA, AF; CO, AG; GA, AH; IA, AI; KS, AJ; LA, AK; MO, AL; NM, AM; NV, AN; OH, AO, OK, AP; PA, AO; TX, AR; WY: February 17, 1998
- TA-W-35,711BA; Security DBS, Headquartered in Dallas, TX & Operating at Other Locations in The Following States; BB; CO, BC; LA, BD; OK, BE; TX: February 17, 1998
- TA-W-35,950; Komatsu America, Inc., Hillsboro, OR: March 12, 1998
- TA-W-35,509; Key Energy Service Inc., Mid-Continent Div. A/k/a Well Tech, Inc., El Reno, OK & Operating In The Following States; A; OK (Except El Reno), B; KS, C; TX, D; AR: December 26, 1997
- TA-W-35,443; Katzenberg Brothers, Inc., Baltimore, MD: December 9, 1997
- TA-W-35,991; Miller Brothers Industries, Inc., Corsicana, TX: March 23, 1998
- TA-W-35,841; North American Knitting Co., Mansfield, OH: March 3, 1998
- TA-W-35,880; Henkel Corp., Chemicals Group, Los Angeles, CA: March 10, 1998
- TA-W-35,916; Mitel, Inc., Ogdensburg, NY: March 8, 1998
- TA-W-35,701; Ansell Edmont, d/b/a Ansell Protective Products, Haynesville, LA: April 13, 1998
- TA-W-35,743; Advance Consultants Corp., Midland, TX: February 11, 1998
- TA-W-35,646; The Stroh Brewery Co., Tampa, FL: January 12, 1998
- TA-W-35,905; Hughes-JVC Technology Corp., Carlsbad, CA: March 5, 1998
- TA-W-35,844; Seco Products Corp., Therma-Systems Div., South Plainfield, NJ: February 26, 1998
- TA-W-35,802; Fleming-Potter Co., Inc., Peoria, IL: February 24, 1998
- TA-W-35,843; Avery Dennison Office Products, Rochelle, IL: February 19, 1998
- TA-W-35,818; Gesell's Pump Sales & Service, Inc., Whittington, IL: February 23, 1998
- TA-W-35,845; Horace Small Manufacturing Co., Nashville, TN: February 26, 1998
- TA-W-35,892; Martin Copeland Eyeware Corp., Bristol, RI: March 8, 1998
- TA-W-35,487; Baker Atlas, Williston, ND & Operating Throughout The State of ND: January 1, 1998
- TA-W-35,883; Jones Drilling Headquartered in Odessa, TX & Operating in A; TX and B; OK: March 4, 1998
- TA-W-35,704; Johnson & Johnson Medical, Inc., Arlington, TX: April 19, 1999
- TA-W-35,615; Shape Global, Sanford, ME: January 28, 1998
- TA-W-35,729; Nabors Alaska Drilling, Inc., Anchorage, AK: February 18, 1998
- TA-W-35,578; Rockwell Automation Power Systems, Mishawaka, IN: January 8, 1998
- TA-W-35,716; KLH Industries, Inc., Headquartered in Clinton, MS & Operating at Various Locations in MS: February 4, 1998
- TA-W-35,553; Mitchell's Oilfield Service, Inc., Sidney, MT: January 14, 1998
- TA-W-35,523; Greenwood Mills Lindale Manufacturing, Lindale, GA: January 12, 1998
- TA-W-35,950; Key Energy Drilling, Inc., Permian Basin Div., Headquartered in Levelland, TX & Operating at Various Locations in The State of A; TX and B; NM: January 11, 1998
- TA-W-35,951; Plymouth Stitching, Ashland, NH: March 15, 1998
- TA-W-35,922; Odessa Packer Service, Inc., Odessa, TX: March 2, 1998

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, 1999.

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 to Canada or Mexico during the relevant period.

NAFTA-TAA-02996; Active Products Corp., Marion, IN
 NAFTA-TAA-03018; Heinz Frozen Food Co., Pocatello-Weight Watchers Div., Pocatello, ID
 NAFTA-TAA-03033; Morrow Snowboards, Inc., Salem, OR
 NAFTA-TAA-02984; North Power Arcade, NY
 NAFTA-TAA-02861; Horowitz/Rae Book Manufacturers, Inc., Fairfield, NJ
 NAFTA-TAA-03030; Key Energy Services, Inc., Rocky Mountain Div., Casper, WY
 NAFTA-TAA-02888; Branch Cheese/Saputo Cheese USA, Branch, WI
 NAFTA-TAA-02945; Newark Paperboard, Inc., Woodburn, OR
 NAFTA-TAA-02981; Advance Consultants Corp., Midland, TX
 NAFTA-TAA-02976; Simula, Inc., Artcraft Industries Corp., Milwaukee, WI
 NAFTA-TAA-02902; Parkdale Mills, Inc., Mill #6, Thomasville, NC
 NAFTA-TAA-02962; Easton Corp., Actuator and Sensor Div., Hamilton, IN
 NAFTA-TAA-02952; Carhartt, Inc., McKenzie, TN

NAFTA-TAA-02943; Castalia Apparel, Castalia, NC
 NAFTA-TAA-02917; Allvac Latrobe Plant, AN Allegheny Teledyne Co., Latrobe, PA
 NAFTA-TAA-02900 & A; Baker Hughes Inteq, Casper, WY & Cody, WY
 NAFTA-TAA-02956; Hudson ICS, San Leandro, CA
 NAFTA-TAA-02944; Shasta, Inc., Monaca, PA
 NAFTA-TAA-02970; Ametek, Lamb Electric Div., Cambridge, OH
 NAFTA-TAA-02877; Tektronix, Inc., Bend, OR
 NAFTA-TAA-02986; Spartan Mills, Startex Div., Startex, SC
 NAFTA-TAA-02992; Worldclass Processing, Inc., Ambridge, PA
 NAFTA-TAA-02928; Autotron, Inc., Autotron Group, Danville, IL
 NAFTA-TAA-02999; Senior Flexonics, Inc., OSI Div., Allison Park, PA
 NAFTA-TAA-02954; Lucia, Inc., Elkin Plant, Elkin, NC
 NAFTA-TAA-02881; Jasper Textiles, Inc. a/k/a Outer Banks, Jacksonville, NC
 NAFTA-TAA-02930; Baker Oil Tools, Olney IL
 NAFTA-TAA-02964; The West Bend Co., West Bend, WI
 NAFTA-TAA-02772; International Paper Co., Printing Papers Div., Ticonderoga, NY
 NAFTA-TAA-02843; Boston Precision Parts Co., Inc., Hyde Park, MA
 NAFTA-TAA-02828; Illinois Glove Co., Effingham, IL
 NAFTA-TAA-01975; Illinois Glove Co., Beardston, IL
 NAFTA-TAA-03029; 3M West Deptford Plant, Electrical Products Div., Thorofare, NJ
 NAFTA-TAA-0-3022; Schlumberg Oilfield Services, Mt Carmel, IL
 NAFTA-TAA-02963; Dean Pickle & Specialty Products Co., Inc., Croswell Plant, Croswell, MI
 NAFTA-TAA-02897; Connor Corp., Indianapolis, Inc.

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

NAFTA-TAA-02950; Ryerson Tull, Inc., Thypin Steel Co., Easton, PA
 NAFTA-TAA-02926; Snap-On-Tools, Ottawa, IL
 NAFTA-TAA-03078; Columbia Sportswear Co., Quality Audit Department At The Distribution Center, Portland, OR
 NAFTA-TAA-03010; Romarco Minerals, Inc., Reno, NV
 NAFTA-TAA-03007; Impact Equipment Company, Elko, NV
 NAFTA-TAA-03006; High Desert Mineral Resources, Inc., Elko, NV

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

NAFTA-TAA-02965; Bard Access Systems, Salt Lake City, UT

The investigation revealed that criteria (1) has not been met. A significant number or proportion of the workers' firm or an appropriate subdivision (including workers in any agricultural firm or appropriate subdivision thereof) have not become totally or partially separated from employment as required for certification.

Affirmative Determinations NAFTA-TAA

NAFTA-TAA-02988; Columbia Controls and Panels, Portland, OR: March 9, 1998
 NAFTA-TAA-02844 & A, B, D, D, E; Pluma, Inc., Rock Mount, VA, Altavista, VA, Martinsville, VA, Chatham, VA, Eden, NC and Commerce, CA: January 8, 1998
 NAFTA-TAA-02788; Schneider Mills, Inc., Alexander Mills Plant, Forest City, NC: December 4, 1997
 NAFTA-TAA-02974; Tultex, Mayodan, NC: March 2, 1998
 NAFTA-TAA-02987; Fashion Enterprises, El Paso, TX: February 22, 1998
 NAFTA-TAA-03109; Bonnell Mfg., Co., Inc., Mt. Laurel, NJ: March 8, 1998
 NAFTA-TAA-02972; Foremost Drill Systems, Reno, NV: February 23, 1998
 NAFTA-TAA-02993; The Well Lamont Corp., McGehee, AR: March 9, 1998
 NAFTA-TAA-02948; Ansell Edmont, d/b/a Ansell Protective Products, Haynesville, LA: January 26, 1998
 NAFTA-TAA-02971; North American Knitting Co., Mansfield, OH: March 3, 1998
 NAFTA-TAA-03052; Augusta Sportswear, Inc., Meter Plant, Meter, GA: March 30, 1998
 NAFTA-TAA-03058 & A; Hampshire Designers, Inc., Winona Knitting Mills Div., La Crescent, MN and Winona, MN: March 29, 1998
 NAFTA-TAA-02980; Greenwood Mills, Lindale Manufacturing, Lindale, GA: March 12, 1998
 NAFTA-TAA-02990; Siebe Appliance Controls, Cooking and Refrigeration Div., Winterset, IA: March 4, 1998
 NAFTA-TAA-02942; Bailey Apparel, Bailey, NC: February 15, 1998
 NAFTA-TAA-02851 & A, B; Ithaca Industries, Inc., Gastonia, NC and Cairo, GA and Vidalia, GA: January 8, 1998

NAFTA-TAA-02936 & A, B, C; VF
Jeanswear, Houston, MO, Richland,
MO, Springfield, MO and Lebanon,
MO: February 18, 1998

NAFTA-TAA-03069; Crescent/U.S.
Mat, LLC, Art Advantage Div., Hot
Springs Plant, Hot Springs, SD:
March 30, 1998

NAFTA-TAA-02889; AMP, Inc., Green
Valley Road Plant, Seven Valleys,
PA: February 1, 1998

NAFTA-TAA-02891; Columbia Forest
Products, New Freedom Div., New
Freedom, PA: February 1, 1998

NAFTA-TAA-02906; Boise Cascade
Corp., Fisher Sawmill, Fisher, LA:
February 8, 1998

NAFTA-TAA-03031; International Steel
Wool Corp., Springfield, OH: March
3, 1998

NAFTA-TAA-02978; Puget Plastics
Corp., Tualatin, OR: March 9, 1998

NAFTA-TAA-02871; Kinzua Resources,
L.L.C., Heppner Mill, Heppner, OR:
January 28, 1998

NAFTA-TAA-02961 and A; John Deere
Consumer Products, Greer, SC and
Gastonia, NC: February 22, 1998

NAFTA-TAA-03047; Fleming-Potter
Co., Inc., Peoria, IL: February 27,
1998

NAFTA-TAA-02887; Custom Packaging
Systems, Inc., Rapid City, SD:
February 2, 1998

NAFTA-TAA-02769; Zenith Electronics
Corp., Rauland Div., Melrose Park,
IL: December 4, 1997

NAFTA-TAA-02939; KLH Industries,
Inc., Headquartered in Clinton, MS
& Operating at Various Locations in
MS: February 4, 1998

NAFTA-TAA-02932; Westinghouse
Electric Co., Energy Systems
Business Unit (ESBU), Pensacola,
FL: March 18, 1999

NAFTA-TAA-02967; Carolina Maid
Products, Inc., Granite Quarry, NC:
March 3, 1998

NAFTA-TAA-02905 & A; Chinook
Group, Inc., North Branch, MN and
St. Paul, MN: January 24, 1998

NAFTA-TAA-02983; Brown Jordan Co.,
Newport, AR: February 22, 1998

NAFTA-TAA-02940; Therm-O-Disc,
Inc., El Paso, TX: February 21, 1998

I hereby certify that the
aforementioned determinations were
issued during the month of April, 1999.
Copies of these determinations are
available for inspection in Room C-
4318, 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 3, 1999.

Grant D. Beale,

*Acting Director, Office of Trade Adjustment
Assistance.*

[FR Doc. 99-11852 Filed 5-10-99; 8:45 am]

BILLING CODE 4510-30-M

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 97-1 CARP SD 92-95]

Distribution of 1992, 1993, 1994, and 1995 Satellite Royalty Funds

AGENCY: Copyright Office, Library of
Congress.

ACTION: Announcement of the schedule
for the proceeding.

SUMMARY: The Librarian of Congress is
announcing the schedule for the 180-
day arbitration period for the
distribution of the 1992-95 satellite
carrier compulsory license royalty fees.
EFFECTIVE DATE: May 11, 1999.

ADDRESSES: All hearings and meetings
for the 1992-95 satellite distribution
proceeding shall take place at the
Library of Congress, James Madison
Memorial Building, Room LM-414, First
and Independence Avenue, SE.,
Washington, DC. 20540.

FOR FURTHER INFORMATION CONTACT:
David O. Carson, General Counsel, or
William J. Roberts, Jr., Senior Attorney,
PO Box 70977, Southwest Station,
Washington, DC 20024. Telephone:
(202) 707-8380. Telefax: (202) 252-
3423.

SUPPLEMENTARY INFORMATION:

Background

Section 251.11(b) of 37 CFR provides:

At the beginning of each proceeding, the
CARP shall develop the original schedule of
the proceeding which shall be published in
the **Federal Register** at least seven calendar
days in advance of the first meeting. Such
announcement shall state the times, dates,
and place of the meetings, the testimony to
be heard, whether any of the meetings, or any
portion of a meeting, is to be closed, and if
so, which ones, and the name and telephone
number of the person to contact for further
information.

This notice fulfills the requirements of
§ 251.11(b) for Phase I of the proceeding
to determine the distribution of satellite
carrier compulsory license royalty fees
for the years 1992-95.

On January 31, 1997, the Copyright
Office published a notice in the **Federal
Register** requesting comment as to the
existence of Phase I and/or Phase II
controversies concerning the
distribution of the 1992, 1993, 1994, and

1995 satellite royalty fees, and in the
event that a controversy exists, whether
to consolidate the determination of the
distribution of the 1992-95 royalty fees
into a single proceeding, or to conduct
multiple proceedings. 62 FR 4814
(January 31, 1997). The notice also
requested that each interested party file
a Notice of Intent to Participate,
indicating the level of participation for
each year, i.e., Phase I, Phase II, or both,
with the Office. In response to this
notice, the following parties identified
the existence of controversies for
distribution of the 1992-95 funds: James
Cannings;¹ the American Society of
Composers, Authors and Publishers
(ASCAP), Broadcast Music, Inc. (BMI),
and SESAC, Inc. (collectively the Music
Claimants); Program Suppliers; CBS,
Inc.; ABC, Inc.; Public Television
Claimants; Devotional Claimants; Home
Shopping Network; Multimedia
Entertainment, Inc.; National
Broadcasting Company, Inc.; Joint
Sports Claimants; and Broadcaster
Claimants. All but one party favored
consolidating the 1992-95 satellite
funds into a single distribution
proceeding.

On June 4, 1997, the Office issued an
Order consolidating the determination
of the distribution of the 1992-95
satellite royalty fees into a single
proceeding and announcing the
precontroversy discovery schedule for a
Phase I proceeding. See Order in Docket
No. 97-1 CARP SD 92-95 (June 4, 1997).
The June 4, 1997, Order set September
8, 1997, as the beginning of the 45-day
precontroversy discovery period, with
the initiation of the arbitration set for
December 1, 1997. This schedule,
however, proved unworkable, so at the
request of the parties, the Copyright
Office rescheduled the start of the 45-
day precontroversy discovery period.
See Order in Docket No. 97-1 CARP SD
92-95 (August 20, 1997). In fact, the
Office reset the schedule three times
before establishing a schedule which
met the needs of all the parties. See also
Orders in Docket No. 97-1 CARP SD
92-95 (January 15, 1998, July 20, 1998,
and October 15, 1998).

During this time, the parties
continued to negotiate among
themselves. As a result, all of the Phase
I parties, with the exception of Joint
Sports Claimants and Program
Suppliers, settled their Phase I claims
for 15.5% of the total aggregate amount
of the satellite royalty fees for the years
1992-1995. See Order in Docket No. 97-
1 CARP SD 92-95 (December 21, 1998).

¹ Mr. Cannings identified only a Phase II
controversy.