

Signed at Washington, DC, this 5th day of May 1999.

Andrew James Samet,

Deputy Under Secretary, International Affairs.

[FR Doc. 99-11845 Filed 5-10-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-35,609]

Advanced Energy Industries, Inc., Fort Collins, Colorado; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on February 8, 1999 in response to a worker petition which was filed on behalf of workers at Advanced Energy Industries, Inc., Fort Collins, Colorado.

The petitioner has requested that the petition be withdrawn on April 27, 1999. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, D.C. this day of 27th, April 1999.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 99-11849 Filed 5-10-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-35,450]

Braeburn Alloy Steel, Incorporated Lower Burrell, Pennsylvania; Notice of Negative Determination Regarding Application for Reconsideration

By application dated April 14, 1999, the company official requested 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 applicable to workers of Braeburn Alloy Steel, Incorporated located in Lower Burrell, Pennsylvania, was signed on March 15, 1999, and published in the **Federal Register** on April 6, 1999 (64 FR 16752).

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 petition, filed on behalf of workers of the subject firm in Lower Burrell, Pennsylvania, engaged in the conversion of steel 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 the workers' firm's customers. The investigation revealed that none of the subject firm customers reported increased import purchases of articles like or directly competitive with those produced at the Braeburn Alloy Steel, Incorporated plant in Lower Burrell, Pennsylvania.

The company official asserts that the Department wrongfully interpreted the information submitted for the petition investigation. The investigation concluded that none of Braeburn's customers imported steel slab in 1997 and 1998. The company official explains that Braeburn Steel converts customer's steel such as ingots, slabs and bar into specified products as requested by the customers. The company states that Braeburn's customers in turn sell the steel product to their customers, who in turn will buy the imported steel that impacts Braeburn's business.

The Trade Act was not intended to provide TAA benefits to everyone who is in some way affected by foreign competition but only to those who experienced a decline in sales or production and employment and an increase in imports of like or directly competitive products which "contributed importantly" to declines in sales or production and employment. The Department limits its investigation to the impact of imports like or directly competitive with the products produced and sold by the workers' firm in this case converted steel products.

The Department stands corrected that the survey conducted for the customer's of the subject firm requested information regarding customer import purchases of converted steel, not steel slabs as inadvertently indicated in the March 15 decision document.

The company official also included news articles about some of Braeburn's customers describing the impact of

imported steel rod, bar and plate, and also cites that workers for one of the subject firm customers were certified eligible for TAA. The steel shapes, regardless of source of the raw material (steel bars, slabs or ingots) sent by customers to Braeburn for conversion cannot be considered like or directly competitive with the products produced at the petitioning workers firm. The Department has reviewed TAA petitions processed and found that there were no TAA workers group certifications issued for the specific customer location cited by the company official.

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, D.C. this 28th day of April 1999.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 99-11859 Filed 5-10-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Acting Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the