

APPENDIX—Continued  
[Petitions Instituted on 09/24/2001]

TA-W	Subject firm (Petitioners)	Location	Date of petition	Product(s)
40,095	Galina Bonquet, Inc. (Co.)	New York, NY	08/31/2001	Bridal Gowns.
40,096	Crenlo, Inc. (Wrks)	Rochester, MN	09/05/2001	Metal Enclosures.
40,097	Ismecca USA (Co.)	Vista, CA	08/25/2001	Semi-Conductors.
40,098	Toastmaster, Inc.	Boonville, MO	09/04/2001	Warehousing—Small Appliances.
40,099	Shasta Paper Co. (PACE)	Anderson, CA	09/04/2001	Specialty Paper.
40,100	FMC Technologies (Wrks)	Homer City, PA	08/10/2001	Bowl Feeders.
40,101	Lee Dyeing Co. of NC (Co.)	Gloversville, NY	07/07/2001	Fabric Dyeing.
40,102	Joplin Manufacturing c	Joplin, MO	09/03/2001	Explosive—Mining.
40,103	ASARCO, Inc. (Co.)	Sahuartia, AZ	08/31/2001	Copper Concentrate.
40,104	ASARCO, Inc. (Co.)	Hayden AZ	08/03/2001	Copper Concentrate.
40,105	CTS Reeves Frequency (Co.)	Sandwich, IL	08/21/2001	Crystal Oscillators.

[FR Doc. 01-27240 Filed 10-29-01; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,330]

#### Volunteer Leather, Milan, Tennessee; Notice of Negative Determination Regarding Application for Reconsideration

By application of June 29, 2001, the company 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 Volunteer Leather, Milan, Tennessee was issued on June 4, 2001, and was published in the **Federal Register** on June 27, 2001 (66 FR 34256).

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 revealed that criterion (3) of the group eligibility requirements of Section 222 of the Trade Act of 1974 was not met. Increased imports did not contribute importantly to worker separations at the subject firm. The preponderance in the declines in employment at the Volunteer Leather, Milan, Tennessee is

the direct result of plant production being shifted to another domestic location. Reported company sales and production increased during the relevant period.

The request for reconsideration claims that the reported company-wide sales and production during the original investigation, would have reflected a decline in sales and production if it were not for the acquisition of the subject firm during June 2000. The petitioner supplied specific data pertaining to the Milan, Tennessee plant production during the first quarter of 2001. The application also supplies estimated company-wide production, if the subject plant was included in the company figures for the first quarter of 2000. Extrapolating the estimated production figures from the original reported production depicts stable plant production during the two comparable periods. The findings of the original investigation indicated that "the preponderance in the declines in employment at Volunteer Leather, Milan, Tennessee is the direct result of plant production being shifted to another domestic location. The domestic shift is due to company-wide excess capacity." The information the claimant provides depicts excess capacity at another company location, in combination of steady production at the subject plant, thus supporting the original decision.

The petitioner further states that the increasing cost of cattle hides (raw material) and imports of shoes (the product the leather is produced for) are contributing factors to layoffs at the subject plant. Neither factor is a basis for certifying the worker group at Volunteer Leather producing finished leather.

#### 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 15th day of October 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 01-27243 Filed 10-29-01; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,654]

#### Wilcox Forging Company, Mechanicsburg, PA; 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 Certification of Eligibility to Apply for Worker Adjustment Assistance on September 17, 2001, applicable to workers of Wilcox Forging Company, Mechanicsburg, Pennsylvania. The notice was published in the **Federal Register** on October 4, 2001 (FR 66 50685).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers produce drop forgings for the automotive industry.

New findings show that there was a previous certification, TA-W-36,179, issued on May 21, 1999, for workers of Wilcox Forging Corporation, Mechanicsburg, Pennsylvania who were engaged in employment related to the production of drop forgings for the

automotive industry. That certification expired May 21, 2001. To avoid an overlap in worker group coverage, the certification is being amended to change the impact date from July 1, 2000 to May 22, 2001, for workers of the subject firm.

The amended notice applicable to TA-W-39,654 is hereby issued as follows:

All workers of Wilcox Forging Company, Mechanicsburg, Pennsylvania, who became totally or partially separated from employment on or after May 22, 2001, through September 17, 2003, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 16th day of October, 2001.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 01-27245 Filed 10-24-01; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,313]

#### Lynn Electronics Feasterville, Pennsylvania; Notice of Negative Determination on Reconsideration

On September 5, 2001, 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 21, 2001 (66 FR 48714).

The Department initially denied TAA to workers of Lynn Electronics, Feasterville, Pennsylvania because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met. The workers at the subject firm were engaged in employment related to the production of wire and cable and cordsets.

The petitioner provided evidence that further survey may be warranted regarding customer purchases of communication wire products.

On reconsideration, the Department contacted the company for additional customers of the subject firm. The company indicated that the products produced at the subject plant are shipped to a sister facility (warehouse). Those products produced at the subject plant account for approximately one-fourth of the total sales at the sister facility. The remainder of the products sold at the sister facility are in fact

imported. Only a negligible portion of the imports are like or directly competitive with products produced at the subject plant.

The investigation further revealed that the overwhelming preponderance in the declines in employment leading to the closure of the plant is related to the company being able to purchase domestically produced products at a lower cost than those produced at the subject plant.

Any declines in sales are the direct result of the phase down of the plant prior to the closure of the plant.

A customer survey was not conducted due to the conditions as described above.

### 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 Lynn Electronics, Feasterville, Pennsylvania.

Signed at Washington, DC, this 16th day of October, 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 01-27242 Filed 10-29-01; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-5309]

#### Hayward Pool Products, Inc., a/k/a Hayward Industries, Inc., Kings Mountain, North Carolina, Notice of Termination of Investigation

Pursuant to Title V of the North American Free Trade Agreement Implementation Act and in accordance with section 250(a), Subchapter D, Chapter 2, title II of the Trade Act of 1974, as amended (19 U.S.C. 2331), an investigation was initiated on September 4, 2001, in response to a worker petition which was filed by the company on behalf of its workers at Hayward Pool Products, Inc., a/k/a Hayward Industries, Inc., Kings Mountain, North Carolina. The workers produce products related to the swimming pool industry, i.e. filters, skimmers, spare parts, etc.

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

Signed in Washington, DC, this 15th day of October, 2001.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 01-27236 Filed 10-29-01; 8:45 am]

**BILLING CODE 4510-30-M**

## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 2001-7 CARP SD 2000]

#### Ascertainment of Controversy for the 2000 and 2001 Satellite Royalty Funds

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice with request for comments and notices of intention to participate.

**SUMMARY:** The Copyright Office of the Library of Congress directs all claimants to royalty fees collected under the section 119 statutory license in 2000 to submit comments as to whether a Phase I or Phase II controversy exists as to the distribution of those fees, and a Notice of Intention to Participate in a royalty distribution proceeding. Parties who submit a Notice of Intention to Participate may submit comments on the motion for a partial distribution filed by the Public Broadcasting Service.

**DATES:** Comments and Notices of Intention to Participate are due by November 29, 2001. Reply comments are due by December 31, 2001.

**ADDRESSES:** If sent by mail, an original and five copies of written comments and a Notice of Intention to Participate should be addressed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. If hand delivered, an original and five copies should be brought to: Office of the General Counsel, James Madison Memorial Building, Room 403, First and Independence Avenue, SE., Washington, DC 20540.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Tanya M. Sandros, Senior Attorney, Copyright Arbitration Royalty Panels, P.O. Box 70977, Southwest Station, Washington, DC 20024. Telephone (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** Each year satellite carriers submit royalties to the Copyright Office for the retransmission of over-the-air broadcast signals to their subscribers. 17 U.S.C. 119. These royalties are, in turn, distributed in one of two ways to copyright owners whose works were included in a