

The workers produced medium and heavy duty trucks. The workers were denied NAFTA-TAA on the basis that there was no shift in production (except for a temporary shift) to Mexico or Canada, nor did imports from Canada or Mexico contribute importantly to workers' separations.

The union provided additional information indicating that a shift in plant production occurred during the relevant period. Information provided by the company verified that there was a shift in business class truck production (cargo and cab-in-white for extended and crew cab) to Mexico during the relevant period. The shift in production to Mexico was the primary factor contributing to the layoffs at the subject plant. The workers were separately identifiable.

### Conclusion

After careful review of the facts obtained in the investigation, I conclude that there was a shift in production from the workers' firm to Mexico of articles like or directly competitive with those produced by the subject firm. In accordance with the provisions of the Trade Act, I make the following certification:

All workers of Freightliner LLC, Mt. Holly Truck Manufacturing Plant, Mt. Holly, North Carolina, engaged in activities related to the production of business class trucks (cargo and cab-in-white for extended and crew cab), who became totally or partially separated from employment on or after October 10, 1999, through two years from the date of certification, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, DC this 13th day of November 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-4523]

#### York International Corporation Portland, Oregon; Notice of Negative Determination Regarding Application for Reconsideration

By application dated June 26, 2001, the Sheet Metal Workers' International Association, Local Union No. 16, requested administrative reconsideration of the Department's negative determination regarding

eligibility to apply for North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on June 7, 2001, and was published in the **Federal Register** on June 27, 2001 (66 FR 34257).

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 the law justified reconsideration of the decision.

The denial of NAFTA-TAA for workers engaged in activities related to the production of custom air handling systems at York International Corporation, Portland, Oregon, was based on the finding that criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. There were no company imports of custom air handling systems from Mexico or Canada, nor did York International Corporation shift production from Portland, Oregon to Mexico or Canada. Major customers did not reduce their purchases from the subject firm.

The petitioner alleges that competitors of the subject plant import products like and directly with what the subject plant produced from Canada and Mexico. The Department normally analyzes the impact of imports on the subject firm workers through a survey of declining customers to examine if the firm's domestic customers switched purchases from the subject firm in favor of foreign produced products during the relevant period. There were no subject firm customers' sales declines during the relevant period. Therefore, any imports from Canada or Mexico are not a major contributing factor to the worker separations at the subject plant.

### 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 6th day of November 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. RM 2001-7A]

#### Disruption or Suspension of Postal or Other Transportation or Communications Services

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

**ACTION:** Determination of general disruption of postal services.

**SUMMARY:** Pursuant to newly promulgated 37 CFR 201.8, the Register of Copyrights announces her determination that there has been a general disruption or suspension of postal services that has delayed the receipt by the Copyright Office of deposits, applications, fees, and other materials submitted to the Office by means of the United States Postal Service.

**DATES:** The disruption of postal services commenced on October 18, 2001 and continues to the present.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Patricia Sinn, Senior Attorney, Office of the General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024-0400. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** On December 4, 2001, the Copyright Office published in the **Federal Register** an interim regulation, to be codified at 37 CFR 201.8, addressing general disruptions or suspensions of postal or other transportation or communications services. The regulation implements 17 U.S.C. 709 and governs the circumstances under which the Register may assign, as the date of receipt for deposits, applications, fees and other materials submitted to the Office, the date on which the materials would have been received but for a general disruption or suspension of postal or other transportation or communications services.

The Register now publishes her determination that commencing on October 18, 2001, there has been a general disruption of postal services that has affected the delivery of deposits,