

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-39,417]

**Innovex, Inc., Chandler, Arizona; Notice of Negative Determination Regarding Application for Reconsideration**

By application of December 19, 2001, petitioners 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 Innovex, Inc., Chandler, Arizona was issued on November 27, 2001, and was published in the **Federal Register** on December 18, 2001 (66 FR 65220).

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 of articles like or directly competitive with articles produced by the firm did not contribute importantly to worker separations at the subject firm.

The request for reconsideration claims that the company imported products like or directly competitive with what the subject plant produced, due to a partial shift in plant production to a foreign source. The petitioner provided a list of the subject plant's customers that they believe are now receiving these products for foreign sources.

A review of data supplied during the initial investigation and clarification provided by the company shows that over three-quarters of plant production of flexible circuits was shifted to other domestic locations. The remaining production was shifted to Thailand. The production performed in Thailand is then distributed to countries all over the world. The amount of flexible circuits shipped from Thailand to the firm's customers located in the United States is negligible in relation to the

production that was performed 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 19th day of March 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9345 Filed 4-16-02; 8:45 am]

**BILLING CODE 4510-30-M**

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-40,701]

**Internet Arena, Portland, Oregon; Notice of Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on January 28, 2002, in response to a petition filed on behalf of workers at Internet Arena, Portland, Oregon.

The petitioning group of workers submitting the petition 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 4th day of April, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9342 Filed 4-16-02; 8:45 am]

**BILLING CODE 4510-30-M**

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-40,119]

**Tennford Weaving, Sanford, Maine; Notice of Negative Determination Regarding Application for Reconsideration**

By application of December 31, 2001, the petitioners 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 Tennford Weaving, Sanford, Maine, was issued on December 11, 2001, and was published in the **Federal Register** on December 26, 2001 (66 FR 66426).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The negative TAA determination issued by the Department on December 11, 2001 was based on the fact that the subject plant's assets were sold to Alkahn Labels, Inc., New York, New York and that Alkahn Labels, Inc. did not import woven labels during the relevant period.

The request for administrative reconsideration indicates that Tennford Weaving, Sanford, Maine sold their assets (machinery) to Alkahn Labels, Inc. The new owner of the equipment then shipped the machinery to Weston, West Virginia where some of the machinery was reconfigured for use overseas in Hong Kong.

Declines in subject plant employment is related to the subject plant's machinery being sold on August 1, 2001 to Alkahn Labels, Inc. The new owner consolidated their manufacturing operations by transferring the subject plant machinery to factories located in West Virginia, South Carolina and Hong Kong. The investigation further revealed that the subject plant and Alkahn Labels, Inc. did not import woven labels during the relevant period.

The shift of plant machinery to a foreign source does not meet the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended. To meet the eligibility requirements of criterion (3) the increases of imports of articles like or directly competitive with articles produced by the subject firm or appropriate subdivision have to contribute importantly to the separations and to the absolute decline in sales or production. This is not the case for the workers of the subject firm.

The petitioners in their request for administrative reconsideration also attached shipping invoices to their request.

An examination of the attached shipping invoices revealed that Sher

Woven Label, a Division of Alkahn Labels, Inc. primarily shipped products to foreign sources. One invoice reflects a domestic to domestic shipment. Exports of woven labels by the company do not meet the increasing imports eligibility requirements of section 222 of the Trade Act, as amended.

### 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 11th day of March, 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9347 Filed 4-16-02; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,273]

#### United States Steel, LLC, Fairless Hills, Pennsylvania; Notice of Revised Determination on Reconsideration

On February 11, 2002, the Department issued a Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice will soon be published in the Federal Register.

The Department initially denied TAA to workers of United States Steel, LLC, Fairless Hills, Pennsylvania, engaged in the production of tin mill products because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act of 1974, as amended, was not met.

On reconsideration, the Department conducted further survey of the major customers of the subject firm regarding their purchases of tin mill products. The survey revealed that major customer significantly increased their imports, while decreasing their purchases from the subject firm during the relevant period.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with tin mill products, contributed importantly to the declines in sales or

production and to the total or partial separation of workers of United States Steel, LLC, Fairless Hills, Pennsylvania. In accordance with the provisions of the Act, I make the following certification:

"All workers of United States Steel, LLC, Fairless Hills, Pennsylvania engaged in the production of tin mill products who became totally or partially separated from employment on or after May 4, 2000 are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974."

Signed in Washington, DC this 11th day of March 2002.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 02-9337 Filed 4-16-02; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[SGA/DFA 02-108]

#### Grants for Small Faith-Based and Community-Based Non-Profit Organizations

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice of availability of funds and solicitation for grant applications (SGA). This notice contains all of the necessary information and forms needed to apply for grant funding.

**SUMMARY:** The Employment and Training Administration (ETA), U.S. Department of Labor (DOL) announces the availability of funds to award a grant to "grass-roots" organizations or small faith-based and community-based non-profit organizations with the ability to connect to the nation's workforce development system. The term "grassroots" is defined under the Eligibility Criteria.

This grant award has three important objectives:

- Increase the number of faith-based and community-based organizations serving as committed and active partners in the One-Stop delivery system .
- Expand the access of faith-based and community-based organizations' clients and customers to the services offered by the nation's One-Stops.
- Identify, document, showcase and replicate successful and innovative instances of faith- and community-based involvement in One-Stop delivery system-building.

ETA has identified \$500,000 from funds authorized under Section 171 of the Workforce Investment Act for this

competition to meet the system-building objectives.

**DATES:** The closing date for receipt of applications is Monday, May 20, 2002. Application must be received by 4 p.m. (Eastern Standard Time) at the address below: No exceptions to the mailing and hand-delivery conditions set forth in this notice will be granted. Applications that do not meet the conditions set forth in this notice will not be honored. Telefacsimile (FAX) applications will not be honored. Applicants are advised that the Department's receipt of mail has encountered delays because of mail screening procedures at local post offices.

**ADDRESSES:** Applications must be mailed to the U.S. Department of Labor, Employment and Training Administration, Division of Federal Assistance, Attention: Ms. Linda Forman, SGA/DFA 02-108, 200 Constitution Avenue, NW., Room S-4203, Washington, DC 20210.

*Late Proposals.* A proposal received at the designated office after the exact time specified for receipt will not be considered unless it is received before the award is made and it:

- Was sent by U.S. Postal Service registered or certified mail not later than the fifth day (5th) calendar day before the closing date specified for receipt of applications (e.g. an offer submitted an response to a solicitation requiring receipt of application by the 20th of the month must be mailed by the 15th):
- Was sent by U.S. Postal Service Express Mail Next Day Service, Post Office to Addressee, not later than 5 p.m. at the place of mailing two working days prior to the deadline date specified for receipt of proposals in this SGA. The term "working days" excludes weekends and U.S. Federal holidays.

The only acceptable evidence to establish the date of mailing of an application received after the deadline date for the receipt of proposals sent by the U.S. Postal Service registered or certified mail is the U.S. postmark on the envelope or wrapper affixed by the U.S. Postal Service and on the original receipt from the U.S. Postal Service. The term "post marked" means a printed, stamped, or otherwise place impression (exclusive of a postage meter machine impression) that is readily identifiable without further action as having been supplied or affixed on the date of mailing by employees of the U.S. Postal Service.

#### *Withdrawal of Applications.*

Applications may be withdrawn by written notice or telegram (including mailgram) received at any time before an award is made. Application may be