

**Matters To Be Considered:**

1. Agenda for future meeting: none.  
 2. Minutes.  
 3. Ratification List.  
 4. Inv. Nos. 701-TA-414 and 731-TA-928 (Preliminary) (Softwood Lumber from Canada)—briefing and vote. (The Commission is currently scheduled to transmit its determination to the Secretary of Commerce on May 17, 2001; Commissioners' opinions are currently scheduled to be transmitted to the Secretary of Commerce on May 24, 2001.)

5. Outstanding action jackets:  
 1. Document No. GC-01-042:

Regarding Inv. No. 337-TA-429 (Certain Bar Clamps, Bar Clamp Pads, and Related Packaging, Display, and Other Materials).

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: May 4, 2001.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-11827 Filed 5-7-01; 2:16 pm]

**BILLING CODE 7020-02-P**

## **INTERNATIONAL TRADE COMMISSION**

**[USITC SE-01-020]**

### **Sunshine Act Meeting**

#### **AGENCY HOLDING THE MEETING:**

International Trade Commission.

**TIME AND DATE:** May 18, 2001 at 2 p.m.

**PLACE:** Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205-2000.

**STATUS:** Open to the public.

**Matters To Be Considered:**

1. Agenda for future meeting: none.  
 2. Minutes.  
 3. Ratification List.  
 4. Inv. Nos. 731-TA-929-931 (Preliminary) (Silicomanganese from India, Kazakhstan, and Venezuela)—briefing and vote. (The Commission is currently scheduled to transmit its determination to the Secretary of Commerce on May 21, 2001; Commissioners' opinions are currently scheduled to be transmitted to the Secretary of Commerce on May 29, 2001.)

5. Outstanding action jackets:

1. Document No. GC-01-042:

Regarding Inv. No. 337-TA-429 (Certain Bar Clamps, Bar Clamp Pads, and Related Packaging, Display, and Other Materials).

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: May 4, 2001.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 01-11828 Filed 5-7-01; 2:16 pm]

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

**[TA-W-38,439 and NAFTA-4365]**

#### **Eastern Fine Paper; Brewer, Maine; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter of March 16, 2001, the company requested administrative reconsideration of the Department of Labor's Notices of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance (TA-W-38,439) and NAFTA-Transitional Adjustment Assistance (NAFTA-4365) for workers of the subject firm. The denial notices applicable to workers of Eastern Fine Paper, Inc., Brewer, Maine, were signed on February 7, 2001, and published in the **Federal Register** on March 2, 2001, TA-W-48,439 (66 FR 13086) and NAFTA-4319 (66 FR 13087).

The company presents new information regarding production at the plant that warrants further petition investigation.

#### **Conclusion**

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Dated: Signed at Washington, D.C., this 27th day of April, 2001.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 01-11629 Filed 5-7-01; 8:45 am]

**BILLING CODE 4510-30-M**

## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

**[TA-W-38,360 and NAFTA-4319]**

#### **Georgia Pacific Corp. Structural Panel Division—OSB, Baileyville, Maine; Notice of Negative Determination Regarding Application for Reconsideration**

By application of February 20, 2001, the Paper, Allied-Industrial, Chemical & Energy Workers International Union (PACE) request 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) and North American Free Trade Agreement—Transitional Adjustment Assistance (NAFTA-TAA). The denial notices applicable to workers of Georgia Pacific Corporation, Structural Panel Division—OSB, Baileyville, Maine, were signed on January 5, 2001, and published in the **Federal Register** on February 8, 2001, TA-W-38,360 (66 FR 9599) and NAFTA-4319 (66 FR 9600).

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 TAA petition, filed on behalf of workers producing oriented strand board at Georgia Pacific, OSB Operations in Baileyville, Maine, 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 customers of the workers' firm's. None of the customers reported increasing import purchases of OSB while decreasing purchases from Georgia Pacific, OSB Operations in Baileyville, Maine.

The NAFTA-TAA petition for the same worker group was denied because criteria (3) and (4) of the group eligibility requirements in paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. A survey of the major declining customers of Georgia

Pacific, Structural Panel Division, showed that none of the respondents increased import purchases of oriented strand board from Mexico or Canada, while reducing purchases from the subject firm. The subject firm did not import oriented strand board, nor was production of oriented strand board shifted from the workers' firm to Mexico or Canada.

The petitioner supplemented the application for reconsideration with information on U.S. imports of OSB-Waferboard and suggested that increased imports of these articles from Canada negatively impacted the OSB producers in the northeastern part of the United States. The Department, when determining import impact for a worker group, does not break out import statistics by port of entry but instead use aggregate import data. For NAFTA-TAA petition investigations the Department examines aggregate U.S. imports from Mexico and Canada. While U.S. import data are helpful in identifying trends in imports of specific products, in most cases, the Department relies a survey of the major declining customers of the subject firm.

The petitioner adds that the Department's survey results regarding customer purchases of oriented strand board are erroneous, citing that a federal official informed PACE that only three customers were surveyed, two of which were other Georgia Pacific divisions, and that Georgia Pacific imports oriented strand board.

The information collected by the Department during the petition investigation is business confidential and cannot be released to the public without express written consent of the individual and/or company official providing the information. The Department cannot release how many customers of the subject firm were surveyed or who responded. The respondents of the survey group for Georgia Pacific represented the majority of the subject firm sales of OSB during the time period when the Baileyville plant had sales and production declines.

The petitioner believes that the subject firm imports OSB. The Department stands corrected in that Georgia Pacific Corporation does import oriented strand board, including purchases from Canada. The investigation, however, showed that company imports of OSB declined.

The petitioner also states that the Department totally disregarded the Maine Department of Labor preliminary affirmative finding that all eligibility criteria for NAFTA-TAA have been met. The petitioner's statement is true, but all preliminary findings for NAFTA-TAA

petitions are forwarded to the Department of Labor for a final determination.

### 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, DC, this 30th day of April 2001.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 01-11627 Filed 5-8-01; 8:45 am]

**BILLING CODE 4510-30-M**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA-W-38,461 and NAFTA-4357]**

#### **Oxford Automotive, Argos, Indiana; Notice of Negative Determination Regarding Application for Reconsideration**

By application of February 1, 2001, the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Local 2088, request 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) and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA). The denial notices applicable to workers of Oxford Automotive, Argos, Indiana, were signed on January 24, 2001. The TAA decision will soon be published in the **Federal Register**. The notice for the NAFTA-TAA decision was published in the **Federal Register** on February 20, 2001 (66 FR 10917).

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 TAA petition, filed on behalf of workers producing side panels for vehicles in Argos, Indiana, was denied because the "contributed importantly" criterion of the group eligibility requirements of Section 222 of the Trade Act of 1974, as amended, was not met. The primary customer of the subject firm is going to produce the side panels at their own U.S. plants and ceased doing business with Oxford Automotive.

The NAFTA-TAA petition for the same worker group was defined because criteria (3) and (4) of the group eligibility requirements in paragraph (a)(1) of section 250 of the Trade Act, as amended, were not met. There were no company or customer imports from Mexico or Canada of side panels for vehicles. The subject firm did not shift the production of side panels for vehicles from Argos, Indiana to Mexico or Canada.

The petitioner provided a copy of a memorandum dated August 1, 2000, addressed to Local 2988 from an individual (title not provided), notifying the Union of equipment that will be moving to another Oxford Automotive location, or a request for equipment from another Oxford Automotive location. In that listing, it is noted that authorization was being sought to move the 180" press line and two single post spot welders to Mexico.

During the investigation that information was available and the Department found that some of the machinery was sent to Mexico but it was not being used. The shift of production of equipment to Mexico or Canada, or any other foreign country, does not in of itself provide a basis for worker group certification under TAA or NAFTA-TAA. With respect to the TAA petition, the Department could issue a certification only if the equipment shifted is being used to produce the articles and replace the production at the workers' firm and that there are increases in imports of articles like or directly competitive with side panels for vehicles produced on that machinery. With respect to the NAFTA-TAA petition, the Department could issue a certification only if the equipment shifted is being used to produce the articles and replace the production at the workers' firm. This is not the case for the petitioning workers, as was described in the initial findings.

### 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