

DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-53,597]

**Fashion Technologies, Gaffney, SC;
Notice of Negative Determination on
Reconsideration**

On March 23, 2004, 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 April 5, 2004 (69 FR 17711).

The petition for the workers of Fashion Technologies, Gaffney, South Carolina was denied because the "contributed importantly" group eligibility requirement of section 222 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. The survey revealed that none of the respondents increased their imports of engraved rotary screens.

In the request for reconsideration, the petitioner states that Fashion Technology, Gaffney, South Carolina worked very closely with companies (converters) that print fabric using engraved rotary screens produced by the subject firm. The petitioner believes that even though engraved rotary screens are not being imported by customers, they are used in the production of print fabric, and customers were shifting their fabric printing production abroad. The petitioner concludes that, because these print plants are being transferred abroad, the subject firm workers producing the engraved rotary screens are import impacted. The petitioner supplied a list of customers, alleging that these companies are now printing fabric abroad and an investigation of these additional customers would prove that the subject firm was eligible under secondary impact.

In order to establish import impact, the Department must consider imports that are like or directly competitive with those produced at the subject firm. The Department conducted a survey of the additional customers regarding their purchases of engraved rotary screens. The survey revealed no imports of engraved rotary screens during the relevant period.

The fact that subject firm's customers are shifting their production abroad may be relevant to this investigation if determining whether workers of the subject firm are eligible for trade adjustment assistance (TAA) based on the secondary upstream supplier

impact. For certification on the basis of the workers' firm being a secondary upstream supplier, the subject firm must have customers that are TAA certified, and these TAA certified customers must represent a significant portion of subject firm's business. In addition, the subject firm would have to produce a component part of the product that was the basis for the customers' certification.

In this case, however, the subject firm does not act as an upstream supplier, because engraved rotary screens do not form a component part of the fabric. Furthermore, none of the customers provided by the petitioner are certified for TAA. Thus the subject firm workers are not eligible under secondary impact.

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 in Washington, DC this 13th day of April, 2004.

Elliott S. Kushner,

*Certifying Officer, Division of Trade
Adjustment Assistance.*

[FR Doc. E4-1067 Filed 5-10-04; 8:45 am]

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DEPARTMENT OF LABOR**Employment and Training
Administration**

[TA-W-53,585]

**Sealed Air Corporation, Salem, IL;
Notice of Revised Determination
Regarding Application for
Reconsideration**

By application of February 25, 2004, a petitioner 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 initial investigation resulted in a negative determination issued on January 20, 2004, because the "contributed importantly" test of the Group Eligibility Requirements of the Trade Act was not met for workers at the subject firm. The workers produce padded mailing envelopes. The denial notice was published in the **Federal Register** on March 12, 2004 (69 FR 11888).

The petitioner alleges that Sealed Air Corporation, Salem, Illinois produced more products than just mailing

envelopes and that 50 percent of the plant production was extruded plastic foam. The petitioner further states that while production of paper envelopes was shifted domestically, production of plastic foam was shifted to Mexico upon the subject plant's closure. To support this statement, the petitioner attached copies of the Bill of Landing, which show the shipment of machinery from the subject facility to Mexico.

A company official was contacted to verify this information. Upon further review, it was revealed that some workers at Sealed Air Corporation, Salem, Illinois were indeed engaged in the production of plastic foam during the relevant period; they were separately identifiable. A company official confirmed that approximately fifty percent of production of plastic foam was shifted to Mexico in 2003 and that this shift contributed importantly to layoffs at Sealed Air Corporation in Salem, Illinois.

In accordance with section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

Conclusion

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

All workers of Sealed Air Corporation, Salem, Illinois, engaged in the production of plastic foam, who became totally or partially separated from employment on or after October 30, 2002, through two years from the date of this certification, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC this 13th day of April, 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Information Collection Request Submitted for Public Comment and Recommendations: Quantum Opportunity Program Demonstration Information Collection

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration (ETA) of the U.S. Department of Labor (DOL) is soliciting comments concerning the proposed continuing collection of information for the Quantum Opportunity Program (QOP) Demonstration Evaluation.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Submit comments on or before July 12, 2004.

ADDRESSES: Send comments to Eileen Pederson, U.S. Department of Labor, ETA/OPDER, Room N-5637, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 693-3647 (this is not a toll-free number) or Pederson.eileen@dol.gov, or to fax: (202) 693-2766 (this is not a toll-free number).

FOR FURTHER INFORMATION CONTACT:

Eileen Pederson, U.S. Department of Labor, ETA/OPDER, Room N-5637, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 693-3647 (this is not a toll-free number) or

Pederson.eileen@dol.gov, or to fax: (202) 693-2766 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

In July 1995, under authority of Title IV of the Job Training Partnership Act (JTPA), ETA, in partnership with the Ford Foundation, launched the QOP Demonstration (QOP) in seven sites: Cleveland, Ohio; Fort Worth, Texas; Houston, Texas; Memphis, Tennessee; Philadelphia, Pennsylvania; Washington, DC; and Yakima, Washington. The Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice (DOJ) provided financial support for gang-prevention and evaluation activities. The Planning and Evaluation Service of the Department of Education's (DoE) Office of the Under Secretary has provided information and guidance in support of the evaluation. This data collection covers outcome variables of interest to DOL, DOJ and DoE.

QOP provided mentoring, computer-assisted instruction, course-based tutoring, life skills training, and community service activities for high school students at risk of dropping out of school. A youth was eligible to participate in QOP if he or she attended a high school with a four-year dropout rate equal to or greater than 40 percent, was entering the ninth grade for the first time during either the 1995-1996 or 1996-1997 (in Washington, DC) academic year, and was in the lower two-thirds of the grade distribution for entering ninth graders, according to the grade point averages from the eighth grade. The demonstration is being evaluated based on its impacts on academic achievement, high school completion, and engagement in postsecondary education or training programs. The demonstration is also being evaluated based on its impacts on behaviors that are associated with barriers to achieving economic self-sufficiency and adults. Such behaviors include substance abuse, teen parenting, and criminal activity. Many components of the QOP model are elements promoted by the Workforce Investment Act and evaluative evidence of their potential effectiveness will support DOL efforts to develop policy guidance for workforce investment agencies on strategies for serving at-risk youth.

II. Desired Focus of Comments

Currently, ETA is soliciting comments concerning the proposed extension with revisions of the collection of information for the QOP Demonstration.

ETA is particularly interested in comments which:

- * Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- * Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- * Enhance the quality, utility, and clarity of the information to be collected; and

- * Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the office listed above in the addressee section of this notice.

III. Current Actions

This notice concerns the collection of outcome data from each member of the research sample, consisting of a treatment group and a control group, by means of a telephone survey.

Type of Review: Extension with Revision.

Agency: Employment and Training Administration, U.S. Department of Labor.

Title: Quantum Opportunity Program (QOP) Demonstration.

OMB Number: 1205-0397.

Affected Public: Individuals.

Cite/Reference/Form: A Quantum Opportunity Program telephone questionnaire.

Total Respondents: 1,052.

Frequency: The questionnaire will be administered once, in the fall/winter of 2004-2005.

Total Responses: 842.

Average Time per Response: The questionnaire is estimated to take 20 minutes to complete.

Estimated Total Burden Hours: 281 hours.

Total Burden Cost: The cost to participants to complete the questionnaire by telephone, based on the minimum wage of \$5.15, is approximately \$1,447.

Comments submitted in response to this Notice will be summarized and/or included in the request for Office of Management and Budget approval of the ICR; they will also become a matter of public record.