The initial investigation resulted in a negative determination issued on March 1, 2002, based on the finding that imports of wooden spring clothespins did not contribute importantly to worker separations at the subject plant. The denial notice was published in the **Federal Register** on March 20, 2002 (67 FR 13012).

To support the request for reconsideration, the company in their request for reconsideration indicated that they were importing clothespins.

A review of the allegation and information provided by the company shows that the company began importing clothespins during the relevant period. The company further indicated that all production at the subject firm is being replaced by imported clothespins, thus impacting the workers at the subject plant.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at Penley Corporation, West Paris, Maine contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

''All workers of Penley Corporation, West Paris, Maine, who became totally or partially separated from employment on or after December 6, 2000 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.''

Signed in Washington, DC, this 9th day of May, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–13546 Filed 5–29–02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–40,368]

SEH–America, Vancouver, WA; Notice of Negative Determination Regarding Application for Reconsideration

By application received February 26, 2002, the 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 denial notice was signed on January 2, 2002 and published in the **Federal Register** on January 11, 2002 (67 FR 1511).

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 TAA petition, filed on behalf of workers at SEH–America, Vancouver, Washington engaged in the production of polished silicon wafers (6 & 8 inch), 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 subject firm did not import 6-inch silicon wafers produced by SEH–America at Vancouver, Washington. The subject firm has always imported 8-inch wafers (a different product entirely), but company imports of that item have been declining in recent years.

The investigation further revealed that the subject firm intended to shift some 6-inch wafer production offshore, and in the future import the product back into the U.S. for sale and distribution in this country. The move, however, was scheduled for later in 2002.

The petitioner alleges that another company was certified under NAFTA–Transitional Adjustment (NAFTA–TAA) when that company shifted their production to Mexico and thus feels that a shift in 6-inch wafer production by the subject firm to Malaysia should qualify the workers of SEH–America, Vancouver, Washington eligible to apply for TAA.

Under NAFTA–TAA, a shift in subject plant production to Mexico or Canada normally meets the eligibility requirements. However, under TAA a shift in plant production to any foreign source is not relevant to meeting the eligibility requirement of section 222(3) of the Trade Act of 1974. Imports ''like or directly competitive'' with what the subject plant produced must ''contribute importantly'' to the layoffs at the subject firm. The imports must be entering the Untied States during the relevant period.

A review of the initial decision shows that imports of the 6-inch wafers were not scheduled to begin arriving until mid-2002, well beyond the relevant period of the investigation. The workers were advised to submit a new petition during the relevant period of time the 6-inch wafers were scheduled to arrive into the United States from Malaysia.

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, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–13544 Filed 5–29–02; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–40,295]

TNS Mills, Spartanburg, SC; Notice of Negative Determination Regarding Application for Reconsideration

By application post marked on February 4, 2002, 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 denial notice was signed on December 31, 2001 and published in the **Federal Register** on January 11, 2002 (67 FR 1510).

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 TAA petition, filed on behalf of workers at TNS Mills, Spartanburg, South Carolina engaged in the production of greige bottom-weight cotton rich apparel fabrics, 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 the workers' firm's customers. The Department conducted a survey of the subject company's major customers regarding their purchases of greige bottom-weight cotton rich apparel fabrics. The survey revealed that none of the customers increased their import purchases of greige bottom-weight cotton rich apparel fabrics during the relevant period.

The petitioner alleges that price and illegal imports are factors leading to the downturn in the textile industry. The petitioner further states that studies done by the North Carolina State University show this.

As noted above, the Department of Labor normally examines if the ''contributed importantly'' test is met through a survey of the workers'' firm's customers. A review of the survey results shows that the customers did not increase their imports of greige bottom-weight cotton rich apparel fabrics during the relevant period.

In reference to petitioner's allegation concerning price, the price of a product is not relevant to meeting the ''contributed importantly'' criterion of the Trade Act of 1974.

Further, studies such as those by the North Carolina State University are considered, however the Department puts the overwhelming majority of weight on the direct impact of imports on the subject firm by the use of customer surveys to test if the ''contributed importantly'' test is met.

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, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–13542 Filed 5–29–02; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–40,039]

TNS Mills Inc., Rockingham Plant, Rockingham, NC; Notice of Negative Determination Regarding Application for Reconsideration

By application dated March 19, 2002, 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 was signed on February 15, 2002 and published in the **Federal Register** on February 28, 2002 (67 FR 9324).

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 at TNS Mills Incorporated, Rockingham Plant, Rockingham, North Carolina engaged in the production of ring spun carded cotton yarn, 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 the workers' firm's customers. The Department conducted a survey of the subject company's major customers regarding their purchases of ring spun carded cotton yarn. The survey revealed that none of the customers increased their import purchases of ring spun carded cotton yarn during the relevant period.

The petitioner alleges that various customers of the subject firm were certified for TAA. Therefore, they believe that due to the number of customers certified for TAA, they should be certified for TAA.

The certification of the subject firm's customers is irrelevant unless the customers are affiliated with the subject firm by corporate ownership. If there was corporate affiliation the workers could receive consideration for eligibility under TAA. The customers certified under TAA were outside the TNS Mills corporate structure, and therefore cannot be considered eligible for TAA under those certifications.

The petitioner also alleges that imports of ring spun cotton yarn are lower in price than the domestic market, thus impacting the subject firm workers.

The price of ring spun cotton yarns is not relevant to the TAA investigation that were filed on behalf of workers producing ring spun cotton yarns.

The petitioner further claims that imported carded yarns impacted the closing of the subject plant. The petitioner supplied a chart with import trends of various yarn imports.

Although, the Department uses industry data in their TAA determinations, the Department of Labor normally examines if the ''contributed importantly'' test is met through a survey of the workers' firm's customers. A review of the survey results shows that the customers did not increase their imports of ring spun carded cotton yarn during the relevant period. Further, the ratio of imports of carded yarn to U.S. production is relatively low during the relevant period and therefore not a major contributing factor relating to the declines in sales and employment at the subject firm.

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, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02–13541 Filed 5–29–02; 8:45 am]

BILLING CODE 4510–30–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 02–066]

Notice of Information Collection Under Emergency Review

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of information collection under emergency review

SUMMARY: The National Aeronautics and Space Administration (NASA) has submitted the following information