

usually negative for workers and consumers alike?

Sincerely,

August P. Hau.

Attachment 4

February 9, 2000.

August P. Hau, Hau Nutrition Service,
Hartford, WI 53027.

Re: Comment on Proposed Final Judgment in
United States v. Fiat S.p.A. et al. (D.D.C.
filed Nov. 4, 1999).

Dear Mr. Hau:

This letter responds to your November 30, 1999 letter commenting on the proposed Final Judgment in *United States v. Fiat S.p.A. et al.* (D.D.C. filed Nov. 4, 1999), which is currently pending in federal district court in the District of Columbia. The Complaint filed by the United States alleges that the proper acquisition of Case Corporation ("Case") by Fiat S.p.A. ("Fiat") would result in a substantial lessening of competition in the manufacture and sale of two-wheel drive ("2WD") tractors, four-wheel-drive ("4WD") tractors, and several types of hay and foraging equipment. The proposed Final Judgment would settle the case by requiring the divestiture of New Holland's 2WD and 4WD tractor lines and the sale of Case's interest in Hay and Forage Industries ("HFI"), a joint venture engaged in the manufacture of hay and forage equipment.

In your letter, you express concern that Fiat's acquisition of Case will harm consumers of farm equipment. Specifically, your letter states that: "If two companies merge to become the largest company in their industry, isn't it clearly monopolistic and usually negative for workers and consumers alike?" Your letter also expresses concern that "Case and IH [International Harvester]" and "Ford and New Holland should not have been allowed to merge" in previous transactions.

Although the United States agrees that Fiat's acquisition of Case—if allowed to proceed without the required divestitures—would harm farmers who purchase tractors and hay and forage equipment, the proposed Final Judgment does not simply allow Fiat and Case to merge their agricultural equipment business. The United States strongly believes the divestitures required by the proposed Final Judgment will alleviate the competitive concerns alleged in the Complaint and preserve competition in the manufacture and sale of 2WD tractors, 4WD tractors, and hay and forage equipment. Finally, the United States assures you that it thoroughly investigated the mergers of Case/IH and Ford/New Holland and took appropriate enforcement action.

Thank you for bringing your concerns to our attention. I trust you appreciate that we have given them due consideration, and hope

this response will help alleviate them. Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(d), a copy of your comment and this response will be published in the Federal Register and filed with the Court.

Sincerely yours,

J. Robert Kramer II,

Chief, Litigation II Section.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-35,579; TA-W-35,579A]

Mitchell Energy and Development Corporation Headquartered in Woodlands, TX, Operating Throughout the State of Texas; Mitchell Louisiana Gas Services L.P. and Operating Throughout the State of Louisiana; Notice of Investigation Regarding Termination of Certification of Eligibility To Apply for Worker Adjustment Assistance

Following a Department of Labor investigation under Section 222 of the Trade Act of 1974 and in accordance with Section 223 of the Act, on March 24, 1999, the Department of Labor issued a certification of eligibility to apply for adjustment assistance applicable to workers and former workers of Mitchell Energy and Development Corporation in the State of Texas, TA-W-35,579, and Mitchell Louisiana Gas Services L.P. in the State of Louisiana, TA-W-35,579A. The notice of certification was published in the **Federal Register** on May 21, 1999 (64 FR 27811).

Pursuant to Section 223(d) of the Act and 29 CFR 90.17(a), the Director of the Division of Trade Adjustment Assistance has instituted an investigation to determine whether the total or partial separations of the certified workers in Texas (TA-W-35,579) and Louisiana (TA-W-35,579A) continued to be attributable to the conditions specified in Section 222 of the Act and 29 CFR 90.16(b) in the Departmental regulations.

Pursuant to 29 CFR 90.17(b) the group of workers or any other persons showing a substantial interest in the proceedings may request a public hearing or may make written submissions to show why

the certification should not be terminated, provided that such request or submission is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below no later than March 6, 2000.

The record of certification (TA-W-35,579 and TA-W-35,579A) containing non-confidential information is available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room C-4318, Washington, D.C. 20210.

Signed at Washington, D.C. this 9th day of February 2000.

Grant D. Beale,

Program Manager, Division of Trade Adjustment Assistance.

[FR Doc. 00-4514 Filed 2-24-00; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for NAFTA Transitional Adjustment Assistance

Petitions for transitional adjustment assistance under the North American Free Trade Agreement-Transitional Adjustment Assistance Implementation Act (P.L. 103-182), hereinafter called (NAFTA-TAA), have been filed with State Governors under Section 250(b)(1) of Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended, are identified in the Appendix to this Notice. Upon notice from a Governor that a NAFTA-TAA petition has been received, the Director of the Division of Trade Adjustment Assistance (DTAA), Employment and Training Administration (ETA), Department of Labor (DOL), announces the filing of the petition and takes action pursuant to paragraphs (c) and (e) of Section 250 of the Trade Act.

The purpose of the Governor's actions and the Labor Department's investigations are to determine whether the workers separated from employment on or after December 8, 1993 (date of enactment of P.L. 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because