

of ADP Total Source producing ladies', men's and children's apparel at the Medley, Florida location of the subject firm.

The intent of the Department's certification is to include all workers of Argus International, Inc., affected by layoffs and customer imports from Canada and/or Mexico.

The amended notice applicable to NAFTA-05844 is hereby issued as follows:

All workers of Argus International, Inc., Medley, Florida including leased workers of ADP Total Source engaged in employment related to the production of ladies', men's and children's apparel at Argus International, Inc., Medley, Florida, who became totally or partially separated from employment on or after January 7, 2001, through May 6, 2004, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed in Washington, DC this 25th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-19960 Filed 8-6-02; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA 5827]

Carey Industries, Inc., Danbury, CT; Notice of Termination of Investigation

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called NAFTA-TAA and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on January 29, 2002 in response to a petition filed by a company official on behalf of workers at Carey Industries, Inc., Danbury, Connecticut.

The petitioner has requested that the petition be withdrawn.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 5th day of July, 2002.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 02-19970 Filed 8-6-02; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-05943]

F.H. Stoltze Land and Lumber Company, Stoltze Aspen Mills Division, Sigurd, UT; Notice of Negative Determination Regarding Application for Reconsideration

By application of July 1, 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 North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA). The NAFTA-TAA denial notice applicable to workers of F.H. Stoltze Land and Lumber Company, Stoltze Aspen Mills Division, Sigurd, Utah was signed on June 21, 2002 and will soon be published in the **Federal Register**.

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 NAFTA-TAA petition, filed on behalf of workers at F.H. Stoltze Land and Lumber Company, Stoltze Aspen Mills Division, Sigurd, Utah 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. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed that none of the respondents increased their imports from Canada or Mexico of products like or directly competitive with what the subject plant produced during the relevant period. The subject firm did not import from Canada or Mexico products like or directly competitive with what the subject plant produced, nor was the subject plant's production shifted from the workers' firm to Mexico or Canada. The workers were primarily engaged in activities related to the production of landscape timber.

The petitioner appears to be alleging that the subject firm's customers

switched purchases from the subject firm in favor of buying from other domestic competitors that had an apparent competitive edge, since the competitors could purchase landscape timber directly from Canada at a lower price than the subject plant could produce landscape timber.

The Department, as already indicated, examines the impact of imports from Canada and Mexico by a survey of the subject firm's major declining customers to examine if the "contributed importantly" test is met. The survey conducted during the initial investigation revealed that none of the respondents increased their imports of landscape timbers from Canada or Mexico, while decreasing their purchases from the subject firm during the relevant period.

The survey also examines if the products purchased by the customers from other domestic sources were imported from Canada or Mexico. The survey revealed that none of the customers reported purchasing imported landscape timbers from other domestic sources.

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 25th day of July 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-19971 Filed 8-6-02; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-05319, and NAFTA-05319A]

Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Including Leased Workers of Adecco Employment, Boynton Beach, FL and Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Buda, TX; Amended Certification Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance

In accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), the Department of Labor

issued a Certification of Eligibility to Apply for NAFTA Transitional Adjustment Assistance on February 11, 2002, applicable to workers of Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Boynton Beach, Florida. The notice was published in the **Federal Register** on February 28, 2002 (67 FR 9328). The certification was amended on April 9, 2002 to include leased workers of Adecco Employment employed at Motorola, Inc., Personal Communication Sector, Wireless Messaging Division, Boynton Beach, Florida. The notice was published in the **Federal Register** on April 24, 2002 (67 FR 20173).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. Information provided by the State shows that a worker separation occurred involving an employee whose wages were paid by Motorola, Inc., Personal Communications Sector, Wireless Messaging Div., Boynton Beach, Florida, but worked in Buda, Texas. This employee was engaged in employment related to the production of electronic paging and cellular products at the Boynton Beach, Florida location of the subject firm.

Based on these findings, the Department is amending the certification to include an employee of Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Buda, Texas.

The intent of the Department's certification is to include all workers of Motorola, Inc., Personal Communications Sector, Wireless Messaging affected by employment declines and a shift in the production of electronic paging and cellular products to Mexico.

The amended notice applicable to NAFTA-05319 is hereby issued as follows:

All workers of Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Boynton Beach, Florida including leased workers of Adecco Employment, Boca Raton, Florida (NAFTA-5319), and including a worker of Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Buda, Texas (NAFTA-5319A), engaged in employment related to the production of electronic paging and cellular products at Motorola, Inc., Personal Communications Sector, Wireless Messaging Division, Boynton Beach, Florida who became totally or partially separated from employment on or after September 13, 2000, through February 11, 2004, are eligible to

apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed in Washington, DC this 25th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-19958 Filed 8-6-02; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-05503]

Telair International Air Cargo Equipment, Rancho Domingez, California; Amended Certification Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance

In accordance with Section 250(A), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974 (19 U.S.C. 2273), the Department of Labor issued a Certification for NAFTA Transitional Adjustment Assistance on April 3, 2002, applicable to workers of Telair International, Rancho Domingez, California. The notice was published in the **Federal Register** on April 17, 2002 (67 FR 18924).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of air cargo containers and hardware. New information shows that Air Cargo Equipment purchased Telair International in May, 2001.

Information also shows that workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Air Cargo Equipment.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Telair International, Rancho Domingez, California who were adversely affected by a shift of production of air cargo containers and hardware to Mexico.

The amended notice applicable to NAFTA-05503 is hereby issued as follows:

All workers of Telair International, Air Cargo Equipment, Rancho Domingez, California, who became totally or partially

separated from employment on or after October 25, 2000, through April 3, 2004, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, DC this 25th day of July, 2002.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 02-19959 Filed 8-6-02; 8:45 am]

BILLING CODE 4510-30-P

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 (Pub. 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 Public Law 103-182) are eligible to apply for NAFTA-TAA under Subchapter D of the Trade Act because of increased imports from or the shift in production to Mexico or Canada.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing with the Director of DTAA at the U.S. Department of Labor (DOL) in Washington, DC provided such request is filed in writing with the Director of DTAA not later than August 19, 2002.

Also, interested persons are invited to submit written comments regarding the subject matter of the petitions to the