

any other Indian tribe that believes itself to be culturally affiliated with these objects should contact Dr. Robert Pickering, Chairman of the Anthropology Department, Denver Museum of Natural History, 2001 Colorado Blvd., Denver, CO 80205; telephone (303) 370-6388 before June 19, 1998. Repatriation of these objects to the Hopi Tribe may begin after that date

if no additional claimants come forward.

Dated: May 14, 1998.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 98-13397 Filed 5-19-98; 8:45 am]

BILLING CODE 4310-70-F

INTERNATIONAL TRADE COMMISSION

Ferrosilicon From Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela

AGENCY: United States International Trade Commission (Commission).

ACTION: Request for comments regarding the institution of section 751(b) review investigations concerning the Commission's affirmative determinations in the following investigations:

Country	Action taken by the Commission			Action taken by the Dept. of Commerce		
	Investigation No.	Date of determination	Federal Register citation	Order No.	Date of order	Federal Register citation
Brazil	731-TA-641	01/24/94	59 FR 10165	A-351-820	03/14/94	59 FR 11769
China	731-TA-567	03/04/93	58 FR 13503	A-570-819	03/11/93	58 FR 13448
Kazakhstan	731-TA-566	03/23/93	58 FR 16847	A-843-804	04/07/93	58 FR 18079
Russia	731-TA-568	06/16/93	58 FR 34064	A-821-804	06/24/93	58 FR 34243
Ukraine	731-TA-569	03/23/93	58 FR 16847	A-823-804	04/07/93	58 FR 18079
Venezuela	303-TA-23	06/16/93	58 FR 34064	C-307-808	05/10/93	58 FR 27539
	731-TA-570	06/16/93	58 FR 34064	A-307-807	06/24/93	58 FR 34243

SUMMARY: The Commission invites comments from the public on whether changed circumstances exist sufficient to warrant the institution of investigations pursuant to section 751(b) of the Tariff Act of 1930 (the Act),¹ to review the affirmative determinations of the Commission in the above investigations. The purpose of the proposed review investigations is to determine whether revocation of the existing countervailing duty order on imports of ferrosilicon from Venezuela and the antidumping orders on imports of ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela, is likely to lead to continuation or recurrence of material injury.² Ferrosilicon is provided for in subheadings 7202.21.10, 7202.21.50, 7202.21.75, 7202.21.90, and 7202.29.00, of the Harmonized Tariff Schedule of the United States.

FOR FURTHER INFORMATION CONTACT: Fred Fischer (202-205-3179) or Vera Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office

of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background

On April 24, 1998, the Commission received a request to review its affirmative determination, as it applied to imports from Brazil (the request), in the light of changed circumstances, pursuant to section 751(b) of the Act.³ The request was filed by counsel on behalf of Associação Brasileira dos Produtores de Ferroligas e de Silício Metálico (ABRAFE), Companhia Brasileira Carburito de Calcio (CBCC), Companhia de Ferroligas de Bahia (FERBASA), Nova Era Silicon S/A, Italmagnesio S/A-Industria e Comercio, Rima Industrial S/A, and Companhia Ferroligas Minas Gerais (Minasligas).

The alleged changed circumstances include: (1) The revelation of a nationwide ferrosilicon price-fixing conspiracy maintained by major U.S. ferrosilicon producers from at least as early as late 1989 to at least mid-1991. Following criminal price-fixing investigations by the Antitrust Division of the U.S. Department of Justice, Elkem Metals Co. and American Alloys pleaded guilty in 1995 and 1996, respectively, to conspiring to fix prices of commodity ferrosilicon products.

SKW Metals & Alloys Inc. and its executive vice-president were found guilty in 1997 of conspiring to fix prices of commodity ferrosilicon products, and; (2) the consequential invalidation of the Commission's determination of material injury that was based upon improper and distorted price data.

Because the alleged changed circumstances predominantly relate to the domestic industry and are not limited to imports from Brazil, submissions should also address the possibility of the Commission self-initiating reviews of the outstanding orders on China, Kazakhstan, Russia, Ukraine, and Venezuela.

Written Comments Requested

Pursuant to § 207.45(b) of the Commission's rules of practice and procedure,⁴ the Commission requests comments concerning whether the alleged changed circumstances are sufficient to warrant institution of review investigations.

Written Submissions

In accordance with 201.8 of the Commission's rules,⁵ the signed original and 14 copies of all written submissions must be filed with the Secretary to the Commission, 500 E Street, SW, Washington, DC 20436. All comments must be filed no later than June 19, 1998, which is at least 30 days after the date of publication of this notice in the

¹ 19 U.S.C. 1675(b).

² 19 U.S.C. 1675(b)(2)(A).

³ 19 U.S.C. 1675(b).

⁴ 19 CFR 207.45(b).

⁵ 19 CFR 201.8.

Federal Register. The Commission's determination regarding initiation of review investigations is due within 30 days of the close of the comment period. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request business confidential treatment under § 201.6 of the Commission's rules.⁶ Such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. Each sheet must be clearly marked at the top "Confidential Business Information." The Commission will either accept the submission in confidence or return it. All nonconfidential written submissions will be available for public inspection in the Office of the Secretary.

Copies of the non-confidential version of the request and any other documents in this matter are available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary to the Commission; telephone 202-205-2000.

Issued: May 12, 1998.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 98-13426 Filed 5-19-98; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-34,214 and NAFTA-02157]

Fort James Corp., Towel and Tissue Division, Ashland, WI; Negative Determination Regarding Application for Reconsideration

By application dated March 27, 1998, the United Paperworkers International Union (UPIU) Local 1104 requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) and NAFTA-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notices were signed on March 11, 1998. The TAA and NAFTA-TAA decisions were published in the **Federal Register** on April 3, 1998, (63 FR 16574) and (63 FR 16575), respectively.

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 negative TAA determination issued by the Department was based on the finding that the "contributed importantly" test of the worker group eligibility requirements of section 222 of the Trade Act of 1974 was not met for workers of Fort James Corporation, Ashland, Wisconsin producing commercial napkins. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department of Labor surveyed the major declining customers of the subject firm regarding their purchases of commercial napkins. None of the respondents reported import purchases of commercial napkins in 1996, 1997 or in January 1998.

The subject firm workers were denied eligibility to apply for NAFTA-TAA based on the finding that criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act of 1974, as amended, were not met. There was no shift in production of commercial napkins from the subject firm to Mexico or Canada, nor were there company or customer imports of like or directly competitive products from Mexico or Canada.

The UPIU Local 1104 asserts that some of the machinery at the Ashland mill is scheduled for delivery to China and Europe by the end of summer 1998. The shipment or sale of production equipment to foreign countries is not a basis for a worker group certification under the Trade Act of 1974.

The UPIU Local 1104 provided import statistics for tablecloths and table napkins made of paper for 1997. This information does not substantiate import impact for workers of Fort James Corporation. There must be company or customer increases of imports of articles like or directly competitive with those produced by workers at the subject firm.

The UPIU Local 1104 asserts that during the petition investigation, the customer list provided by the company did not include all of the Fort James Corporation Ashland customers. The customer list requested by the Department and provided by company officials accounted for Ashland's major declining customers.

Finally, the UPIU Local 1104 asserts that prices for market pulp and paperboard has increased, thereby affecting company cost to compete for materials used in the production of commercial napkins. Price of raw materials to produce a product is not a basis for a worker group certification under the Trade Act of 1974.

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 at Washington, DC, this 4th day of May 1998.

Grant D. Beale,

Acting Director, Office of Trade Adjustment Assistance.

[FR Doc. 98-13419 Filed 5-19-98; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of April, 1998.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separation, or threat thereof, and to the absolute decline in sales or production.

⁶ 19 CFR 201.6.