

who became totally or partially separated from employment on or after October 15, 1997 through February 9, 2001 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington D.C. this 22nd day of September, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-25301 Filed 9-28-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-36,497]

Power Exploration, Incorporated, Tyler, Texas; Notice of Negative Determination Regarding Application for Reconsideration

By application dated August 3, 1999, the petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on July 26, 1999, and published in the **Federal Register** on August 11, 1999 (64 FR 43723).

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 of Power Exploration, Incorporated, Tyler, Texas, engaged in geological studies was denied because the workers provided a service and did not produce an article as required in Section 222(3) of the Trade Act of 1974, as amended.

The petitioners assert that the worker group provided a number of different articles and products and provided oil and gas exploration expertise to a number of different companies and clients in the oil and gas industry.

Workers at the subject firm, however, are engaged in employment related to the acquisition, processing and marketing of seismic data.

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, D.C. this 17th day of September 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-25296 Filed 9-28-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-36,062; TA-W-36,062B]

Stonecutter Textiles, Inc.; Spindale, North Carolina; Mill Spring, North Carolina; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistant on June 17, 1999, applicable to workers of Stonecutter Textiles, Inc., located in Spindale, North Carolina. The notice was published in the **Federal Register** on August 11, 1999 (64 FR 43723).

At the request of the company, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations occurred at the Mill Spring, North Carolina location of Stonecutter Textiles, Inc. when it closed in July, 1999. The workers were engaged in the production of yarn used to produce greige goods at Stonecutters' Spindale, North Carolina facilities.

The intent of the Department's certification is to include all workers of Stonecutter Textiles, Inc. who were adversely affected by increased imports. Accordingly, the Department is amending the certification to cover the workers of Stonecutter Textiles, Mill Spring, North Carolina.

The amended notice applicable to TA-W-36,062 is hereby issued as follows:

All workers of Stonecutter Textiles, Inc., Spindale, North Carolina (TA-W-36,062) and Mill Spring, North Carolina (TA-W-36,062B) who became totally or partially separated from employment on or after March 29, 1998 through June 17, 2001 are

eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 20th day of September, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-25298 Filed 9-28-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-35,935]

Suckle Corporation, Scranton, Pennsylvania; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of July 8, 1998, the International Union of Electrical Workers, Local 127, requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance for workers of the subject firm. The denial notice was signed on June 10, 1999 and published in the **Federal Register** on June 30, 1999 (64 FR 35183).

The petitioner presents evidence that the Department's customer survey was incomplete.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC this 17th day of September 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-25293 Filed 9-28-99; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[NAFTA-02844; NAFTA-02844F]

Pluma, Inc., Rocky Mount, Virginia; Vesta (Meadows of Dan), Virginia; 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 22, 1999, applicable to workers of Pluma, Inc. located in Rocky Mount, Virginia. The notice was published in the **Federal Register** on May 11, 1999 (64 FR 25373).

At the request of the company, the Department reviewed the determination for workers of the subject firm. New information received from the company shows that worker separations will occur at Plum's Vesta (Meadows of Dan), Virginia facility when it closes in October, 1999. The workers are engaged in the production of knitted activewear for ladies, men and children.

The intent of the Department's certification is to include all workers of Pluma, Inc. who were adversely affected by increased imports from Mexico.

Accordingly, the Department is amending the determination to cover the workers of Pluma, Inc., Vesta (Meadows of Dan), Virginia.

The amended notice applicable to NAFTA-02844 is hereby issued as follows:

All workers of Pluma, Inc., Rocky Mount, Virginia (NAFTA-2844) and Vesta (Meadows of Dan), Virginia (NAFTA-2844F) who became totally or partially separated from employment on or after January 8, 1998 through April 22, 2001 are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, D.C. this 22nd day of September, 1999.

Grant D. Beale,

Program Manager, Office of Trade Adjustment Assistance.

[FR Doc. 99-25300 Filed 9-28-99; 8:45 am]

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 99-36; Exemption Application No. D-10504, et al.]

Grant of Individual Exemptions; Aetna Inc. (Aetna)

AGENCY: Pension and Welfare Benefits Administration, Labor.

ACTION: Grant of individual exemptions.

SUMMARY: This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Notices were published in the **Federal Register** of the pendency before the

Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, DC. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of proposed exemption were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

Aetna Inc. (Aetna), Located In Hartford, Connecticut

[Prohibited Transaction Exemption 99-36; Application No. D-10504]

Exemption

I. Transactions

The restrictions of section 406(a)(1)(A) through (D) and 406(b) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (F) of the Code shall not apply to the following transactions, if the

conditions set forth in Section II and Section III, below, are satisfied:¹

(a) The receipt, directly or indirectly, by a sales agent (Sales Agent or Sales Agents), as defined in Section IV(l) below, of a sales commission from Aetna in connection with the purchase, with plan assets, of an insurance contract (the Insurance Contract or Insurance Contracts), as defined in Section IV(h) below;

(b) The receipt of a sales commission by Aetna, as principal underwriter for a mutual fund registered under the Investment Company Act of 1940, in connection with the purchase, with plan assets, of securities issued by such mutual fund (the Aetna Fund or Aetna Funds), as defined in Section IV(c) below;

(c) The effecting by Aetna, as a principal underwriter, of a transaction for the purchase, with plan assets, of securities issued by an Aetna Fund, and the effecting by a Sales Agent of a transaction for the purchase, with plan assets, of an Insurance Contract; and

(d) The purchase, with plan assets, of an Insurance Contract from Aetna.

II. General Conditions

(a) The transactions are effected by Aetna in the ordinary course of Aetna's business as an insurance company, or as a principal underwriter to an Aetna Fund, or in the case of a Sales Agent, in the ordinary course of the Sales Agent's business as a Sales Agent.

(b) The transactions are on terms at least as favorable to the plan as an arm's length transaction with an unrelated party would be.

(c) The combined total of all fees, sales commissions, and other consideration received by Aetna or a Sales Agent: (1) For the provision of services to the plan, and (2) in connection with a purchase of an Insurance Contract or securities issued by an Aetna Fund, is not in excess of "reasonable compensation" within the contemplation of section 408(b)(2) and (c)(2) of the Act and section 4975(d)(2) and (d)(10) of the Code. If such total is in excess of "reasonable compensation" the "amount involved" for purposes of the civil penalties of section 502(i) of the Act and excise taxes imposed by section 4975(a) and (b) of the Code is the amount of compensation in excess of "reasonable compensation."

III. Specific Conditions

(a) Aetna or the Sales Agent is not—

¹ For purposes of this exemption, references to specific provisions of Title I of the Act, unless otherwise specified, refer also to the corresponding provisions of the Code.