

## APPENDIX

[Petitions instituted on 12/04/2000]

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
38,371	Sasib (USWA)	DePere, WI	11/14/2000	Packaging Machines.
38,372	Alcoa Lebanon Works (Wkrs)	Lebanon, PA	01/15/2000	Rolled Aluminum.
38,373	Kirkwood, Inc. (Wkrs)	Cleveland, OH	01/07/2000	Carbon and Copper Brushes.
38,374	Owens Brockway (GMP)	Lakeland, FL	11/16/2000	Glass Containers.
38,375	CHF Industrial, Inc. (Wkrs)	Kaufman, TX	11/16/2000	Curtains.
38,376	Galey and Lord (Co.)	Shannon, GA	11/17/2000	Yarn Spinning.
38,377	Dearborn Brass (GMPPA)	Tyler, PA	11/16/2000	Bathroom and Kitchen Plumbing Fixtures.
38,378	Honeywell (Wkrs)	Rocky Mount, NC	11/02/2000	Fuel Controls for Aircraft.
38,379	Trumark Industries (Co.)	Spokane, WA	11/08/2000	Fingerjoint Studs.
38,380	Rexam (Wkrs)	Mt. Holly, NJ	11/16/2000	Medical Pouches.
38,381	Karmazin Products (Co.)	Wyandotte, MI	11/17/2000	Hat Exchangers.
38,382	Cherokee Finishing Co. (Co.)	Gaffney, SC	11/08/2000	Printing Fabric for Home Furnishings.
38,383	Burruss Company (Wkrs)	Galax, VA	11/02/2000	Hardwood Flooring.
38,384	Thompson Steel Co. (Co.)	Baltimore, MD	11/22/2000	Steel Products.
38,385	Findlay Industries (UNITE)	Morrison, TN	11/22/2000	Automobile Seat Covers.
38,386	Unocal (Co.)	Sugar Land, TX	11/16/2000	Crude Oil, Natural Gas.
38,387	Indigio Conceptes (Wkrs)	Vernon, CA	01/21/2000	Pants—Jeans.
38,388	Corbin Russwin, Inc. (IAMAW)	Berlin, CT	11/16/2000	Electronic Hotel Door Locks.
38,389	Best Manufacturing (Wkrs)	Woodsbury, GA	11/20/2000	Cloth Table Linens.
38,390	Eaton Corporation (Co.)	Carol Stream, IL	11/20/2000	Hydraulic Valves.
38,391	Foxboro Company (Co.)	Foxboro, MA	11/17/2000	Printed Circuit Board.
38,392	Hagale Industries (Wkrs)	Ava, MO	10/27/2000	Sportswear.
38,393	Tyco Electronics (Co.)	Chesterfield, MI	11/22/2000	Electronic Connectors.
38,394	Velvac, Inc. (Co.)	New Berlin, WI	11/24/2000	Heavy Duty Truck Parts.

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-38, 061]

TRW, Valve Division, Danville, PA;  
Notice of Revised Determination on Reconsideration

On November 30, 2000, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice will soon be published in the **Federal Register**.

On October 10, 2000 the Department initially denied TAA to workers of TRW, Valve Division, Danville, Pennsylvania producing internal combustion engine valves because the "contributed importantly" group eligibility requirement of Section 222 of the Trade Act of 1974, as amended, was not met.

On reconsideration, the subject firm reported that it recently began importing combustion engine valves to their United States customers.

## Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of

articles like or directly competitive with combustion engine valves, contributed importantly to the declines in sales or production and to the total or partial separation of workers of TRW, Valve Division, Danville, Pennsylvania. In accordance with the provisions of the Act, I make the following certification:

"All workers of TRW, Valve Division, Danville, Pennsylvania who became totally or partially separated from employment on or after August 23, 1999 through two years of this certification, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974."

Signed in Washington, DC this 11th day of December 2000.

Linda G. Poole,

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[Docket No. NAFTA-04202]

Samsonite Corporation Tucson, AZ;  
Notice of Revised Determination On Reconsideration

On November 29, 2000, the Department issued a Negative Determination Regarding Eligibility to Apply for NAFTA-Transitional Adjustment Assistance (NAFTA-TAA)

applicable to all workers of Samsonite Corporation located in Tucson, Arizona. The notice will soon be published in the **Federal Register**.

By letter of December 5, 2000, the petitioner requested administrative reconsideration of the Department's findings.

The employees of the Samsonite Corporation located in Tucson, Arizona were engaged in the cutting of fabric used in soft-sided luggage.

New findings on reconsideration show that the production of all cut fabric produced by Samsonite Corporation, Tucson, Arizona is currently being shifted to Mexico. The transfer will be completed on December 15, 2000 impacting all workers at the subject plant.

## Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles from Mexico like or directly competitive with cut fabrics contributed importantly to the decline in sales or production and to the total or partial separation of workers of Samsonite Corporation, Tucson, Arizona. In accordance with the provisions of the Act, I make the following certification:

"All workers of Samsonite Corporation, Tucson, Arizona who became totally or partially separated from employment on or after September 29, 1999 through two years from the date of the certification are eligible

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

Signed at Washington, DC this 8th day of December 2000.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2000-66; Exemption Application No. D-10706, et al.]

### Grant of Individual Exemptions; Allfirst Bank

**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, D.C. 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, 5 U.S.C. App. 1 (1996), 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.

### Allfirst Bank, Located in Baltimore, Maryland

[Prohibited Transaction Exemption 2000-66; Exemption Application No. D-10706]

### Exemption

#### *Section I—Exemption for Receipt of Fees*

The restrictions of section 406(a) 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, as of November 13, 1998, to the receipt of fees by Allfirst from the ARK Funds, open-end investment companies registered under the Investment Company Act of 1940 (the 1940 Act), for acting as an investment adviser for such Funds, as well as for providing other services to the ARK Funds which are “Secondary Services,” as defined in Section III(i), in connection with the investment by plans for which Allfirst serves as a fiduciary (the Client Plans) in shares of the ARK Funds, provided that the following conditions and the general conditions of Section II are met:

(a) Each Client Plan satisfies either (but not both) of the following:

(1) The Client Plan receives a cash credit of such Plan’s proportionate share of all fees charged to the Funds by Allfirst for investment advisory services, including any investment advisory fees paid by Allfirst to third party sub-advisers, no later than the same day as the receipt of such fees by Allfirst. The crediting of all such fees to the Client Plans by Allfirst is audited by an independent accounting firm on at least an annual basis to verify the proper crediting of the fees to each Plan.

(2) The Client Plan does not pay any Plan-level investment management fees, investment advisory fees, or similar fees to Allfirst with respect to any of the assets of such Plan that are invested in shares of any of the ARK Funds. This condition does not preclude the

payment of investment advisory or similar fees by the ARK Funds to Allfirst under the terms of an investment management agreement adopted in accordance with section 15 of the 1940 Act, nor does it preclude the payment of fees for Secondary Services to Allfirst pursuant to a duly adopted agreement between Allfirst and the ARK Funds.

(b) The price paid or received by a Client Plan for shares in a Fund is the net asset value per share, as defined in Section III(f), at the time of the transaction and is the same price that would have been paid or received for the shares by any other investor at that time.

(c) Allfirst, including any officer or director of Allfirst, does not purchase or sell shares of the ARK Funds from or to any Client Plan.

(d) No sales commissions are paid by the Client Plans in connection with the purchase or sale of shares of the ARK Funds, and no redemption fees are paid in connection with the sale of shares by the Client Plans to the ARK Funds.

(e) For each Client Plan, the combined total of all fees received by Allfirst for the provision of services to a Client Plan, and in connection with the provision of services to the ARK Funds in which the Client Plan may invest, are not in excess of “reasonable compensation” within the meaning of section 408(b)(2) of the Act.

(f) Allfirst does not receive any fees payable pursuant to Rule 12b-1 under the 1940 Act in connection with the transactions.

(g) The Client Plans are not employee benefit plans sponsored or maintained by Allfirst.

(h) The Second Fiduciary receives, in advance of any initial investment by the Client Plan in a Fund, full and detailed written disclosure of information concerning the ARK Funds, including but not limited to:

(1) A current prospectus for each Fund in which a Client Plan is considering investing;

(2) A statement describing the fees for investment advisory or similar services, any secondary services as defined in Section III(i), and all other fees to be charged to or paid by the Client Plan and by the ARK Funds, including the nature and extent of any differential between the rates of such fees;

(3) The reasons why Allfirst may consider such investment to be appropriate for the Client Plan;

(4) A statement describing whether there are any limitations applicable to Allfirst with respect to which assets of a Client Plan may be invested in the ARK Funds, and if so, the nature of such