

petition filed by a company official on behalf of workers at Crowe Logging, Inc., Encampment, Wyoming.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC this 24th day of February 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5417 Filed 3-6-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,887]

#### General Binding Corporation, Notice of Termination of Investigation, De Forest, WI

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 13, 2003 in response to a worker petition filed on behalf of workers at General Binding Corporation, De Forest, Wisconsin.

The petitioning group of workers is covered by an earlier petition filed on January 31, 2003 (TA-W-50,813) that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC this 21st day of February, 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5420 Filed 3-6-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-41,799]

#### General Electric Industrial Systems, Salem, VA; Notice of Negative Determination Regarding Application for Reconsideration

By application received on September 30, 2002, petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to

apply for Trade Adjustment Assistance (TAA). The denial notice applicable to workers of General Electric Industrial Systems, Salem, Virginia was signed on September 3, 2002, and published in the **Federal Register** on September 23, 2002 (67 FR 59551).

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 TAA petition, filed on behalf of workers at General Electric Industrial Systems, Salem, Virginia, engaged in activities related to production of drives and control systems, was denied because the "contributed importantly" group eligibility requirement of Section 222(3) of the Trade Act was not met. The contributed importantly test is generally demonstrated through a survey of customers of the workers' firm. Results of the survey revealed that customers did not increase their imports of competitive products during the relevant period. The subject firm did not import drives and control systems during the relevant period.

In requesting reconsideration, the petitioner(s) stated that their function as engineers merited separate consideration from the negative determination issued to production workers. This separate consideration appears to be based on the belief that their jobs had been shifted overseas and the understanding that "the moving of business functions overseas is the equivalent of importing products when U.S. jobs are eliminated."

The work conducted by the engineering group is considered a service. Since the engineering worker group was engaged in design and development and not the actual production of drive and control systems produced at the subject plant they do not meet the eligibility requirements under section 222 of the Trade Act of 1974, as amended. Only in very limited instances are service workers certified for TAA, namely the worker separations must be caused by a reduced demand for their services from a parent or controlling firm or subdivision under certification for TAA. If import impact had been established for the production workers of General Electric Industrial

Systems, only then, could the engineers be included in a certification for TAA.

### 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 5th day of February 2003.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5415 Filed 3-6-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,775]

#### Harman Wisconsin, Inc., Prairie Du Chien, WI; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 4, 2003 in response to a worker petition filed by a company official on behalf of workers at Harman Wisconsin, Inc., Prairie du Chien, Wisconsin.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 26th day of February 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5418 Filed 3-6-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-50,779]

#### Jacobson Greenhouse, Inc. Spokane, WA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on February 4, 2003 in response to a worker petition filed by a company official on behalf of workers of Jacobson Greenhouse, Inc., Spokane, Washington.

The petitioning group of workers was separated from the Jacobson

Greenhouse, Inc., Spokane, Washington in January 1998, when the company ceased all its production. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 20th day of February, 2003.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5419 Filed 3-6-03; 8:45 am]

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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-41,448]

**Ocwen Technology Xchange, Carlsbad, CA; Notice of Negative Determination Regarding Application for Reconsideration**

By application received on October 7, 2002, a petitioner 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 August 27, 2002, and published in the **Federal Register** on September 10, 2002 (67 FR 57456).

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 petition for the workers of Ocwen Technology Xchange, Carlsbad, California was denied because the "contributed importantly" group eligibility requirement of Section 222(3)

of the Trade Act of 1974, as amended; was not met. The denial was based on evidence the workers developed software for e-commerce and software solutions used in the mortgage and real estate industries. The workers did not produce an article as required for certification under Section 222 of the Trade Act of 1974.

The petitioner alleges that software development activities conducted at the Carlsbad, California plant were shifted to an affiliated foreign source. The petitioner further states that the parent firm shipped the software that was in a later stage in the development back to the United States for quality adjustments to the software prior to the release of the software.

The Department considers the development stage of an article as a service activity. In the case of the workers identified as developing software, they were exclusively engaged in the development and design of a product, rather than the actual production of an article, they do not produce an article within the meaning of section 222(3) of 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 10th day of February 2003.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-5414 Filed 3-6-03; 8:45 am]

BILLING CODE 4510-30-P

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than March 17, 2003.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than March 17, 2003.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 12th day of February, 2003.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

**APPENDIX**

[Petitions Instituted Between 01/27/2003 and 01/31/2003]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
50,684	Producto Machine Company (Comp)	Bridgeport, CT	01/27/2003	01/24/2003
50,685	Elm Tex, Inc. (Comp)	Springfield, MA	01/27/2003	01/24/2003
50,686	First Source Furniture Group (Comp)	Halls, TN	01/27/2003	12/30/2002
50,687	Metso Paper (Wkrs)	Beloit, WI	01/27/2003	01/14/2003
50,688	Golden Northwest Aluminum (USWA)	The Dalles, OR	01/27/2003	01/15/2003