

APPENDIX—Continued

[Petitions Instituted Between 05/19/2003 and 05/22/2003]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
51,832	American Greetings (AR)	McCrary, AR	05/21/2003	05/20/2003
51,833	Ever Corporation (AR)	Newport, AR	05/21/2003	05/20/2003
51,834	Agilent Technologies, Inc. (Wkrs)	Colorado Spring, CO	05/21/2003	05/15/2003
51,835	Agilent Technologies (Wkrs)	Loveland, CO	05/21/2003	05/16/2003
51,836	Advanced Energy (Wkrs)	Ft. Collins, CO	05/21/2003	05/13/2003
51,837	Big Idea Productions, Inc. (Wkrs)	Lombard, IL	05/21/2003	05/15/2003
51,838	Rio Grande Forest Products (Comp)	Espanola, NM	05/21/2003	05/13/2003
51,839	GE Transportation Systems (Wkrs)	Warrenburg, MO	05/21/2003	05/20/2003
51,840	Mastergear (Wkrs)	So. Beloit, WI	05/21/2003	05/20/2003
51,841	Ascot Enterprise (Wkrs)	Lincolnton, GA	05/21/2003	05/20/2003
51,842	Caterpillar, Inc. (Comp)	LeLand, NC	05/21/2003	05/12/2003
51,843	Mercury Minnesota, Inc. (MN)	Faribault, MN	05/21/2003	05/14/2003
51,844	F/V Kindred Spirit (Comp)	Bellingham, WA	05/21/2003	05/16/2003
51,845	F/V Dusty (Comp)	Pelican, AK	05/21/2003	05/16/2003
51,846	Legendary Holdings (Wkrs)	Chula Vista, CA	05/22/2003	05/13/2003
51,847	Morgan Lumber (ME)	Bingham, ME	05/22/2003	05/21/2003
51,848	W.S.W. Co. of Sharon, Inc. (Comp)	Sharon, TN	05/22/2003	05/12/2003
51,849	Spencer and Reynolds, Inc. (Comp)	Rancho Cucamong, CA.	05/22/2003	05/05/2003
51,850	American Colloid (IBT)	Paris, TN	05/22/2003	05/22/2003
51,851	Northwest Airlines (AMEA)	Duluth, MN	05/22/2003	05/16/2003
51,852	Unifi, Inc. (Wkrs)	Madison, NC	05/22/2003	05/15/2003
51,853	Gentry Mills, Inc. (Comp)	Albermarle, NC	05/22/2003	05/21/2003
51,854	Factory Service, Inc. (Comp)	Minfola, NY	05/22/2003	05/21/2003
51,855	Plexus EAC (Wkrs)	Neenah, WI	05/22/2003	05/21/2003
51,856	Alcoa Intalco Works (IAMAW)	Ferndale, WA	05/22/2003	05/14/2003
51,857	Solectron Corporation (Comp)	Westboro, MA	05/22/2003	05/22/2003
51,858	Occidental Chemical Corp. (Comp)	Castle Hayne, NC	05/22/2003	05/15/2003
51,859	JDS Uniphase (Wkrs)	RTP, NC	05/22/2003	05/22/2003
51,860	Solutia, Inc. (IBT)	Trenton, MI	05/22/2003	04/11/2003
51,861	Blauer Manufacturing Co., Inc. (Comp)	Charleston, MS	05/22/2003	05/16/2003

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DEPARTMENT OF LABOR**Employment and Training Administration**

[TA-W-51,440]

ASML Albuquerque, Albuquerque, New Mexico; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 17, 2003, a petitioner 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 ASML Albuquerque, Albuquerque, New Mexico was signed on April 16, 2003, and published in the **Federal Register** on May 1, 2003 (68 FR 23322).

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 was filed on behalf of workers at ASML Albuquerque, Albuquerque, New Mexico engaged in activities related to customer support engineering services. The petition was denied because the petitioning workers did not produce an article within the meaning of Section 222(3) of the Act.

The petitioner alleges that layoffs at ASML Albuquerque, Albuquerque, New Mexico, were related to the acquisition of the facility by a foreign company. The petitioner states that subject facility, formerly known as Silicon Valley Group, was bought by ASML, a company with foreign production facilities. The petitioner concludes that, shortly after the acquisition of the Silicon Valley Group facilities (including an affiliated production facility in Connecticut) both facilities were shut down. The petitioner appears

to be alleging that the acquiring company shifted production abroad, with plans to import this production to the U.S.

The petitioner's allegation of a shift in production and subsequent potential imports might be relevant if all other eligibility requirements for trade adjustment assistance were met. However, customer support engineering services do not meet the definition of production of an article as established in Section 222 of the Trade Act, thus the workers in this case do not meet the eligibility requirements of TAA.

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 whose workers produce an article and who are currently under 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 3rd day of June, 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15478 Filed 6-18-03; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-51,708]

Bethlehem Steel Corporation, Corporate Headquarters, Bethlehem, PA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on May 7, 2003, in response to a petition filed on behalf of workers at Bethlehem Steel Corporation, Corporate Headquarters, Bethlehem, Pennsylvania.

This petitioning group of workers is covered by an active certification issued on May 16, 2003 and which remains in effect (TA-W-51,241G). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 22nd day of May 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15465 Filed 6-18-03; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-51,730]

Bethlehem Steel Corporation, Bethlehem Lukens, Coatesville, PA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on May 9, 2003, in response to a petition filed on behalf of workers at Bethlehem Steel Corporation, Bethlehem Lukens, Coatesville, Pennsylvania.

This petitioning group of workers is covered by an active certification issued on May 16, 2003 and which remains in effect (TA-W-51,241B). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC this 22nd day of May 2003.

Elliott S. Kushner

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15466 Filed 6-18-03; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-51,560]

Brazeway Inc., DeWitt, IA; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on April 22, 2003, in response to a worker petition filed on behalf of workers at Brazeway Inc., DeWitt, Iowa.

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

Signed in Washington, DC, this 20th day of May, 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15481 Filed 6-18-03; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-50,604]

Cessna Aircraft Company, Wichita, KS; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 16, 2003, the International Association of Machinists and Aerospace workers, District Lodge #70, 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 April 17, 2003, and published in the **Federal Register** on May 7, 2003 (68 FR 24503).

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 Cessna Aircraft Company, Wichita, Kansas 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 company did not import business jet aircraft in the relevant period, nor did they shift production to a foreign facility.

The union alleges that the company shifted production of "sections of the tail and wing assembly of the CJ-3 and Citation Sovereign" to Canada, and that "this work is normally performed by" subject firm workers.

Contact with the company in regard to this allegation revealed that, although the company did outsource these components to Canada, they were never produced at the Wichita facility, thus this production is irrelevant to the investigation.

The union also alleged that airplane parts competitive with those produced in Wichita are now being produced in "Poland, Czechoslovakia, and Mexico."

In response to this allegation, a company official stated that the company outsourced an insignificant amount of production to Poland, comprising a negligible amount of total annual production at the Wichita plant. The official also stated that, although Czechoslovakia is currently being considered as a potential outsourcing location, the company has not yet imported or used any products produced in that country. The official also stated that Mexico is currently not a serious consideration in terms of outsourcing production for the company.

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 3rd day of June, 2003

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03-15475 Filed 6-18-03; 8:45 am]

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