

have a value that makes it marketable, fungible and interchangeable for commercial purposes. But, although a wide variety of tangible products are described as articles and characterized as dutiable in the HTS, informational products that could historically be sent in letter form and that can currently be electronically transmitted, are not listed in the HTS. Such products are not the type of products that customs officials inspect and that the TAA program was generally designed to address.

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 18th day of November, 2003.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-31861 Filed 12-24-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-52,972]

#### **Exfo Gnubi Products Group, Inc., Gnubi Communications, L.P., Gnubi Communications, Inc., Addison, TX; 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 Assistance on October 17, 2003, applicable to workers of Exfo Gnubi Products Group, Inc., Addison, Texas. The notice was published in the **Federal Register** on November 6, 2003 (68 FR 62834).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The

workers are engaged in the production of telecommunications test equipment.

New information shows that Exfo Gnubi Products Group, Inc. purchased Gnubi Communications in October 2002. Workers separated from employment at the subject firm had their wages reported under two separate unemployment insurance (UI) tax accounts for Gnubi Communications, L.P. and Gnubi Communications, Inc.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Exfo Gnubi Products Group, Inc., Addison, Texas who were adversely affected by a shift in production of telecommunications test equipment to Canada.

The amended notice applicable to TA-W-52,972 is hereby issued as follows:

All workers of Exfo Gnubi Products Group, Inc., Gnubi Communications, L.P., and Gnubi Communications, Inc., Addison, Texas, who became totally or partially separated from employment on or after September 9, 2002, through October 17, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

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

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-31857 Filed 12-24-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-52,725]

#### **Fishing Vessel (F/V) Bad Betty, Homer, AK; Dismissal of Application for Reconsideration**

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Fishing Vessel (F/V) Bad Betty, Homer, Alaska. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-52,725; Fishing Vessel (F/V) Bad Betty, Homer, Alaska (December 4, 2003)

Signed at Washington, DC this 18th day of December 2003.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-31860 Filed 12-24-03; 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 January 8, 2004.

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 January 8, 2004.

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 December 2003.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

## APPENDIX

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
<b>Petitions Instituted Between 11/17/2003 and 11/21/2003</b>				
53,541	Gentry Mills, Inc. (Comp.)	Wadesboro, NC	11/17/2003	11/10/2003
53,542	Bunnies By The Bay (Comp.)	Anacortes, WA	11/17/2003	11/01/2003
53,543	Charmilles Technologies Manufacturing (stat)	Owosso, MI	11/17/2003	11/05/2003
53,544	Levi Strauss and Co. (Comp.)	San Antonio, TX	11/17/2003	11/14/2003
53,545	MJ Softe Co. (Comp.)	Fayetteville, NC	11/17/2003	11/14/2003
53,546	Randolph Products (Wkrs.)	Carlstadt, NJ	11/17/2003	11/14/2003
53,547	Hartz and Co., Inc. (Comp.)	Broadway, VA	11/17/2003	11/11/2003
53,548	Comet Tool (State)	Pitman, NJ	11/17/2003	11/13/2003
53,549	General Electric Financial Assurance (Comp.)	Greenfield, MA	11/17/2003	11/10/2003
53,550	Woholert Corp. (Comp.)	Lansing, MI	11/17/2003	11/07/2003
53,551	Allegheny Ludlum Corp. (Comp.)	Brackenridge, Pa	11/17/2003	11/03/2003
53,552	Carson Industries, Inc. (Comp.)	Freeport, PA	11/17/2003	11/14/2003
53,553	Level 1, Inc. (Comp.)	Rockland, MA	11/17/2003	11/04/2003
53,554	Waltrich Plastic Corp. of Mass (Comp.)	Clinton, MA	11/17/2003	11/03/2003
53,555	Vector Tobacco Inc. (Comp.)	Timberlake, NC	11/17/2003	11/13/2003
53,556	Dan River Inc. (Wkrs.)	Sevierville, TN	11/17/2003	11/14/2003
53,557	Paxar Americas (Comp.)	Snow Hill, NC	11/17/2003	11/17/2003
53,558	Red Wing Shoe Co., Inc. (Comp.)	Potosi, MO	11/18/2003	11/05/2003
53,559	Marathon Oil Company (Comp.)	Findlay, OH	11/18/2003	10/31/2003
53,560	International Paper (Wkrs)	Memphis, TN	11/18/2003	11/17/2003
53,561	Lucerne Technologies LLC (Comp.)	Bolivar, TN	11/18/2003	11/03/2003
53,562	Weyerhaeuser (IAW)	Longview, WA	11/18/2003	11/13/2003
53,563	Pillowtex Corp., (Wkrs)	Commerce, GA	11/18/2003	11/14/2003
53,564	Allegheny Ludlum Corp. (Comp.)	Leechburg, PA	11/18/2003	11/03/2003
53,565	Nylstar, Inc. (Comp.)	Ridgeway, VA	11/18/2003	11/10/2003
53,566	Fishman and Tobin (UNITE)	Conshohocken, PA	11/18/2003	11/07/2003
53,567	Ampacet Texas LP (Comp.)	Latexo, TX	11/18/2003	11/12/2003
53,568	EJE Research (Comp.)	Buffalo, NY	11/18/2003	01/03/2003
53,569	Irving Tanning Co. (Comp.)	Hartland, ME	11/18/2003	11/06/2003
53,570	Thermo Forma (Wkrs)	Marietta, OH	11/18/2003	10/26/2003
53,571	Maynard Steel Casting Co. (Comp.)	Milwaukee, WI	11/18/2003	11/03/2003
53,572	Johnson and Johnson (NJ)	N. Brunswick, NJ	11/18/2003	11/17/2003
53,573	Textron PFPD (Wkrs)	Rockford, IL	11/18/2003	11/05/2003
53,574	Spring Industries (Comp.)	Fort Lawn, SC	11/18/2003	11/13/2003
53,575	PolyOne Corp. (AR)	Wynne, AR	11/18/2003	11/17/2003
53,576	Kraft Foods (Comp)	Northlake, IL	11/18/2003	11/17/2003
53,577	TDK Texas Corp. (Wkrs)	El Paso, TX	11/19/2003	11/17/2003
53,578	MT Picture Display Corp. of America (Comp)	Horseheads, NY	11/19/2003	11/07/2003
53,579	Dillon Floral Corp. (Comp)	Bloomsburg, PA	11/19/2003	11/11/2003
53,580	Piedmont Bottling and Vending, Inc. (Comp)	Hickory, NC	11/19/2003	11/12/2003
53,581	NW Services, Inc. (Comp)	Hickory, NC	11/19/2003	11/12/2003
53,582	Avondale Mills (Wkrs)	Burnsville, NC	11/19/2003	10/31/2003
53,583	Procter and Gamble Paper Products Co. (PACE).	Green Bay, WI	11/19/2003	11/11/2003
53,584	Advantek (MN)	Minnetonka, MN	11/19/2003	11/03/2003
53,585	Sealed Air Corp. (PACE)	Salem, IL	11/19/2003	10/30/2003
53,586	MacBrad Wholesale Flowers, Inc. (Wkrs)	Pasadena, TX	11/19/2003	11/06/2003
53,587	Sensient Imaging Technologies, Inc. (Comp)	Piqua, OH	11/19/2003	10/28/2003
53,588	Severna an Amphina Co. (NJ)	Parsippany, NJ	11/19/2003	11/18/2003
53,589	Charmilles Technologies Mfg. (Comp)	Owosso, MI	11/19/2003	11/05/2003
53,590	Noble Construction Equipment (Comp)	Lubbock, TX	11/19/2003	11/17/2003
53,591	Steward, Inc. (Wkrs)	Chattanooga, TN	11/20/2003	10/29/2003
53,592	DyStar LP (Comp)	Charlotte, NC	11/20/2003	11/18/2003
53,593	Phoenix Metal Technologies (Comp)	Lexington, KY	11/20/2003	11/12/2003
53,594	Kaneka Delaware Corp. (Comp)	Delaware City, DE	11/20/2003	11/12/2003
53,595	Perm Cast LLC (Comp)	Cynthiana, KY	11/20/2003	11/11/2003
53,596	Jeld-Wen (Wkrs)	Susanville, CA	11/20/2003	11/10/2003
53,597	Fashion Technologies (Wkrs)	Gaffney, SC	11/20/2003	11/01/2003
53,598	Hercules, Inc. (Comp)	Hattiesburg, MS	11/20/2003	11/11/2003
53,599	American Allsafe Co. (Comp)	Tonawanda, NY	11/20/2003	11/07/2003
53,600	Leica Microsystems, Inc. (USWA)	Depew, NY	11/20/2003	11/12/2003
53,601	Paxar Americas (Comp)	Cowpens, SC	11/21/2003	11/20/2003
53,602	GST Autoleather, Inc. (Comp)	Reading, PA	11/21/2003	11/20/2003
53,603	Carrier Corporation (SMWIA)	Syracuse, NY	11/21/2003	11/14/2003
53,604	Springs Industries, Inc. (Comp)	Rock Hill, SC	11/21/2003	11/14/2003
53,605	TNS Intersearch (Wkrs)	Youngstown, OH	11/21/2003	11/19/2003
53,606	Extreme Tool and Engineering (Comp)	Wakefield, MI	11/21/2003	11/13/2003
53,607	Med Data, Inc. (MT)	Corvalis, MT	11/21/2003	11/18/2003
53,608	Avery Dennison (Comp)	Meridian, MS	11/21/2003	11/06/2003

## APPENDIX—Continued

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
53,609	Conn-Selmer, Inc. (UAW)	E. Lake, OH	11/21/2003	11/17/2003
53,610	Besly Products Corporation (UAW)	S. Beloit, IL	11/21/2003	11/17/2003
53,611	Intercontinental Polymers, Inc. (Comp)	Lowland, TN	11/21/2003	11/13/2003
53,612	Glatfelter (Comp)	Neenah, WI	11/21/2003	11/19/2003
<b>Petitions Instituted Between 11/24/2003 and 11/28/2003</b>				
53,613	Houston/NANA (AK)	Fairbanks, AK	11/24/2003	11/17/2003
53,614	Advance Transformer Co. (Comp)	Chicago, IL	11/24/2003	11/10/2003
53,615	Teleflex Medical (Comp)	Fall River, MA	11/24/2003	11/14/2003
53,616	Watlow Controls (MN)	Winona, MN	11/24/2003	11/18/2003
53,617	Cummins Engine Co. (Wkrs)	Neillsville, WI	11/24/2003	10/30/2003
53,618	DAY International, Inc. (Comp)	Greenville, SC	11/24/2003	11/17/2003
53,619	Timken US Corp (Wkrs)	Rockford, IL	11/24/2003	11/13/2003
53,620	Creekwood, Inc. (Comp)	Columbia, TN	11/24/2003	11/14/2003
53,621	Rainbow Ranch (Comp)	Chehalis, WA	11/25/2003	11/20/2003
53,622	JVC Magnetics America Co. (Comp)	Tuscaloosa, AL	11/25/2003	11/20/2003
53,623	Fashion Sportswear Corp. (Comp)	Fall River, MA	11/25/2003	11/19/2003
53,624	GE Lighting, Inc. (Comp)	Logan, OH	11/25/2003	11/12/2003
53,625	Valentine Tool and Stamping (Comp)	Norton, MA	11/25/2003	11/21/2003
53,626	P and R Trucking Services, Inc. (Comp)	St. Joseph, MO	11/25/2003	11/19/2003
53,627	Washout Co. (The) (Comp)	St. Joseph, MO	11/25/2003	11/19/2003
53,628	G and R Transport (Comp)	St. Joseph, MO	11/25/2003	11/19/2003
53,629	Twitchell Corp. (Comp)	Dothan, AL	11/25/2003	11/19/2003
53,630	Pechiney Plastic Packaging (Wkrs)	Des Moines, IA	11/25/2003	11/19/2003
53,631	Main Street Textiles LP (Comp)	Fall River, MA	11/25/2003	11/18/2003
53,632	Coventry Narrow Fabrics, Inc. (UNITE)	Coventry, RI	11/25/2003	11/18/2003
53,633	IBM Technology Group (Wkrs)	Essex Junction, VT	11/25/2003	11/24/2003
53,634	Virginia KMP Corp. (Comp)	Dallas, TX	11/25/2003	11/18/2003
53,635	Keykert USA (Comp)	Webberville, MI	11/25/2003	11/21/2003
53,636	CIM Harris Systems (Comp)	Skokie, IL	11/25/2003	11/10/2003
53,637	Melton's Metals (Comp)	Concord, NC	11/25/2003	11/17/2003
53,638	American Shoe Corp. (ME)	Skowhegan, ME	11/25/2003	11/16/2003
53,639	Honeywell Sensing and Control (Wkrs)	Shelby, NC	11/25/2003	11/20/2003
53,640	Wormuth Brothers (Comp)	Athens, NY	11/25/2003	11/11/2003
53,641	Wentworth Mold, Inc. (Comp)	Pawcatuck, CT	11/25/2003	11/19/2003
53,642	Hayworth Roll and Panel Co., Inc. (Comp)	High Point, NC	11/26/2003	11/20/2003
53,643	Stod Win Co., Inc. (Comp)	Danville, VA	11/26/2003	11/17/2003
53,644	Hussey Copper Ltd. (NJ)	Kenilworth, NJ	11/26/2003	11/20/2003
53,645	SB Power Tools (AR)	Walnut Ridge, AR	11/26/2003	11/24/2003
53,646	Washout Co. (The) (Comp)	St. Joseph, MO	11/26/2003	11/19/2003
53,647	Gates Corporation (Comp)	Denver, CO	11/26/2003	11/24/2003
53,648	International Business Machines (IBM) (Wkrs)	Tulsa, OK	11/26/2003	11/19/2003
53,649	Pavallax Power Computer LLC (Wkrs)	Bridgeport, CT	11/26/2003	11/18/2003
53,650	Stimson Lumber Co. (Comp)	Coeur d'Alene, ID	11/28/2003	11/25/2003
53,651	Cannon ITT Industries (Comp)	Santa Ana, CA	11/28/2003	11/24/2003
53,652	Ericsson (Wkrs)	Framingham, MA	11/28/2003	11/20/2003
53,653	Portland Forge (Wkrs)	Portland, IN	11/28/2003	11/21/2003
53,654	Fresenius Kabi Clayton LP (Comp)	Clayton, NC	11/28/2003	11/25/2003
53,655	John Plant Co., Inc. (The) (Comp)	Ramseur, NC	11/28/2003	11/25/2003
53,656	Halliburton Energy Services (Comp)	Houston, TX	11/28/2003	11/25/2003
53,657	RMG Foundry (Comp)	Mishawaka, IN	11/28/2003	11/18/2003
53,658	Dana Corp. (Wkrs)	Oklahoma City, OK	11/28/2003	11/11/2003
53,659	Bristol Compressors, Inc. (Comp)	Bristol, VA	11/28/2003	11/07/2003
53,660	J.R. Simplot Co., (IBT)	Caldwell, ID	11/28/2003	11/17/2003
53,661	Newstech Pa. (Comp)	Northampton, PA	11/28/2003	11/19/2003
53,662	Newstech NY, Inc. (Comp)	Deferiet, NY	11/28/2003	11/17/2003
53,663	Renfro Corp. (Comp)	Mt. Airy, NC	11/28/2003	11/20/2003
53,664	Owens-Illinois Glass Container (Comp)	Hayward, CA	11/28/2003	08/22/2003
53,665	Brown and Williamson Tobacco Corp. (Comp)	Macon, GA	11/28/2003	11/14/2003
53,666	Falcon Products (Comp)	Canton, MS	11/28/2003	11/10/2003
53,667	Toro Irrigation (Comp)	El Paso, TX	11/28/2003	11/14/2003

[FR Doc. 03-31854 Filed 12-24-03; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,008]

#### Martens Manufacturing, LLC, Kingsford, Michigan; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of November 6, 2003, a petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The Department's determination notice was signed on October 10, 2003 and published in the **Federal Register** on November 6, 2003 (68 FR 62833).

The Department reviewed the request for reconsideration and has determined that the petitioner has provided additional customer information. Therefore, the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### 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 4th day of December, 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-31856 Filed 12-24-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-52,022, TA-W-52,022A, and TA-W-52,022B]

#### Nortel Networks Corporation, Optical Global Technical Assistance Center, Research Triangle Park, NC; Nortel Networks Corporation, Optical Global Technical Assistance Center, Pittsburgh, PA; Nortel Networks Corporation, Optical Global Technical Assistance Center, Centennial, CO; Notice of Revised Determination on Reconsideration

By application of August 15, 2003, a petitioner requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on July 22, 2003, based on the finding that the petitioning workers of this firm do not produce an article within the meaning of section 222 of the Trade Act of 1974. The denial notice was published in the **Federal Register** on August 14, 2003 (68 FR 48645).

In a review of the initial investigation, it was revealed that the work performed by the worker group did perform testing and product modification, and that subject firm workers produced an article as part of the finishing work performed on fiber optic backbone telecommunication networks. It was further revealed that employment declines occurred at all three facilities and that the company is now relying on a Canadian facility to serve the same customer base as that which is served by the three domestic facilities where the petitioners are employed.

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at Nortel Networks Corporation, Optical Global Technical Assistance Center (GTAC), Research Triangle Park, North Carolina (TA-W-52,022); Nortel Networks Corporation, Optical Global Technical Assistance Center, Pittsburgh, Pennsylvania (TA-W-52,022A); and Nortel Networks Corporation, Optical Global Technical Assistance Center, Centennial, Colorado (TA-W-52,022B), contributed importantly to the declines in sales or production and to the total or partial

separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of Nortel Networks Corporation, Optical Global Technical Assistance Center (GTAC), Research Triangle Park, North Carolina (TA-W-52,022); Nortel Networks Corporation, Optical Global Technical Assistance Center, Pittsburgh, Pennsylvania (TA-W-52,022A); and Nortel Networks Corporation, Optical Global Technical Assistance Center, Centennial, Colorado (TA-W-52,022B), who became totally or partially separated from employment on or after May 26, 2002 through two years from the date of this certification, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC this 15th day of December 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-31863 Filed 12-24-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the periods of November 2003.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in