

Signed in Washington, DC, this 31st day of March, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-860 Filed 4-15-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,291B; TA-W-53,291D; and TA-W-53,291E]

#### **Cone Mills Corporation, Cone White Oak, LLC, Division and Corporate Headquarters, Greensboro, NC, Including Sales and Marketing Employees of Cone Mills Corporation Corporate Headquarters Operating at Various Locations in the States of: New York and Virginia; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 and Alternative Trade Adjustment Assistance on December 3, 2003, applicable to workers of Cone Mills Corporation, Cone White Oak, LLC Division and Corporate Headquarters, Greensboro, North Carolina. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations have occurred involving employees of the Greensboro, North Carolina facility of Cone Corporation, Corporate Headquarters operating at various locations in the States of New York and Virginia. These employees provide sales and marketing support function services for the production of textile prints and finished denim produced by the subject firm.

Based on these findings, the Department is amending this certification to include sales and marketing employees of the Cone Mills Corporation, Corporate Headquarters, Greensboro, North Carolina, operating at various locations in the States of New York and Virginia.

The intent of the Department's certification is to include all workers of Cone Mills Corporation who were adversely affected by increased imports.

The amended notice applicable to TA-W-53,291B is hereby issued as follows:

All workers of Cone Mills Corporation, Cone White Oak, LLC Division and Corporate Headquarters, Greensboro, North Carolina (TA-W-53,291B), including sales and marketing employees of Cone Mills Corporation, Corporate Headquarters, Greensboro, North Carolina, operating at various locations in the states of New York (TA-W-53,291D) and Virginia (TA-W-53,291E), who became totally or partially separated from employment on or after October 14, 2002, through December 3, 2005, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC this 26th day of March, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-864 Filed 4-15-04; 8:45 am]

BILLING CODE 4510-13-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,143]

#### **Elizabeth Weaving, Inc., Blacksburg, SC; 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), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on March 2, 2004, applicable to workers of Elizabeth Weaving, Inc., located in Grover, North Carolina. The notice was published in the **Federal Register** on April 6, 2004 (69 FR 18110).

At the request of the State Agency, the Department reviewed the certification for workers of the subject firm. The State provided information citing that the subject firm is located in Blacksburg, South Carolina, not Grover, North Carolina which is the mailing address for Elizabeth Weaving, Inc.

Accordingly, the Department is amending the certification to reflect this matter. The amended notice applicable to TA-W-54,143 is hereby issued as follows:

All workers of Elizabeth Weaving, Inc., Blacksburg, South Carolina, who became totally or partially separated from employment on or after January 21, 2003, through March 2, 2006, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 2nd day of March, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-859 Filed 4-15-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,597]

#### **Fashion Technologies, Gaffney, SC; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application postmarked January 31, 2004, 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 denial notice was signed on December 30, 2003, and published in the **Federal Register** on February 6, 2004 (69 FR 5866).

The Department reviewed the request and has determined that the petitioner has provided additional 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 in Washington, DC, this 23rd day of March, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-863 Filed 4-15-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-51,191]

#### **Getronics Wang Company, LCC, Valley View, OH; Notice of Revised Determination on Remand**

The United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a

voluntary remand for further investigation in *Former Employees of Getronics Wang Co., LLC v. Elaine Chao, U.S. Secretary of Labor*, No. 03-00529.

The Department's initial determination regarding Getronics Wang Co. LLC (hereafter "Getronics") was issued on April 23, 2003, and published in the **Federal Register** on May 7, 2003 (68 FR 24503). The negative determination was based on the finding that the workers did not produce an article within the meaning of section 222 of the Trade Act of 1974. Workers performed data processing and related services for an unaffiliated company.

By letter dated June 2, 2003, the petitioner requested administrative reconsideration. The Notice of Negative Determination Regarding Application for Reconsideration was signed on June 13, 2003, and published in the **Federal Register** on July 7, 2003 (68 FR 40300). The determination was based on the findings that the workers did not produce an article within the meaning of Section 222 of the Trade Act and that the workers were not service providers in direct support of a Trade Adjustment Assistance (TAA) certified firm.

The remand investigation revealed that Getronics has a contract to provide on site services with a TAA certified company, LTV Steel Company, Inc., Cleveland, Ohio (TA-W-40,786; certified March 21, 2002).

### Conclusion

After careful review of the additional facts obtained on the current remand, I conclude that the subject worker group provided services, the worker group is co-located with a trade-certified firm, and there is a contract between the subject firm and the trade-certified firm. In accordance with the provisions of the Trade Act, I make the following certification:

All workers of Getronics Wang Co., LLC, Valley View, Ohio, who became totally or partially separated from employment on or after March 3, 2002, through two years from the issuance of this revised determination, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC this 2nd day of April, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-857 Filed 4-15-04; 8:45 am]

BILLING CODE 4510-13-P

## DEPARTMENT OF LABOR

### Employment And Training Administration

[TA-W-53,648]

#### International Business Machines Corporation, Tulsa, Oklahoma; Notice of Negative Determination Regarding Application for Reconsideration

By application of February 6, 2004, 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 International Business Machines Corporation, Tulsa, Oklahoma was signed on December 2, 2003, and published in the **Federal Register** on January 16, 2004 (69 FR 2622).

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 was filed on behalf of workers at International Business Machines Corporation, Tulsa, Oklahoma, engaged in accounting services. The petition was denied because the workers' firm does not produce an article within the meaning of section 222 of the Trade Act of 1974. Indeed, IBM does not produce an article at the Tulsa facility.

The petitioner refers to the British Petroleum Accounting Center operated by IBM which was certified eligible for TAA in 1999. The petitioner further states that layoffs at the subject firm can be attributed to the decision of British Petroleum to shift its oil production abroad, consequently, the petitioning workers should be eligible for trade adjustment assistance.

A company official was contacted in regard to these allegations. The official stated that there is no affiliation between the subject facility and British Petroleum. It was also revealed that International Business Machines Corporation, Tulsa, Oklahoma provides accounting services to British Petroleum at many locations in the United States

and abroad out of its own facility in Tulsa, Oklahoma.

The fact that service workers have customers or clients that may be eligible for trade adjustment assistance does not automatically make the service workers eligible for TAA. Before service workers can be considered eligible for TAA, they must be in direct support of an affiliated facility currently certified for TAA or employed on a contractual basis at a location currently certified for TAA. This is not the case for the workers at International Business Machines Corporation, Tulsa, Oklahoma.

The petitioner further alleges that "the center in Tulsa, OK has previously been covered under the TRA program," thus petitioning workers of the subject firm should also be eligible for TAA.

The same workers have been providing the same accounting services at the same Tulsa location for a number of years. However, the identity of their employer has changed twice over the pertinent period. Thus, the Department's records indicate workers, including accountants then working at the Tulsa facility, at AMOCO Exploration and Production, and AMOCO Shared Services, operating in the state of Oklahoma, were certified eligible to apply for adjustment assistance on February 19, 1999 (TA-W-36,309N). That certification was amended on March 14, 1999, to reflect new ownership and a name change to BP/AMOCO, AMOCO Exploration and Production, AMOCO Shared Services, A/K/A AMOCO Production Company, Inc., operating in the state of Oklahoma. Workers certified in that instance were determined to be "engaged in activities related to exploration and production of crude oil and natural gas." That certification expired February 19, 2001. Thus, there is no current certification of eligibility for workers at the Tulsa facility. The previous certification has no bearing on the determination of eligibility at this time.

Department records show no previous certifications for the Tulsa facility on the part of the current owner of the Tulsa facility, International Business Machines Corporation, Tulsa, Oklahoma.

The petitioner finally states that International Business Machines Corporation, Tulsa, Oklahoma has moved a significant number of jobs to India.

Accounting services do not constitute production according to the eligibility requirements for trade adjustment assistance. Thus, the alleged shift of jobs to India is irrelevant to this investigation.