

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-55,340]

**Ripplewood Phosphorous U.S., LLC, Formerly Akzo Nobel Functional Chemical LLC, Gallipolis Ferry, WV; Notice of Negative Determination Regarding Application for Reconsideration**

By application dated September 2, 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) and Alternative Trade Adjustment Assistance (ATAA). The negative determination applicable to workers of Ripplewood Phosphorous U.S., LLC, Formerly Akzo Nobel Functional Chemical LLC, Gallipolis Ferry, West Virginia was issued on August 6, 2004. The Notice of determination was published in the **Federal Register** on August 20, 2004 (69 FR 51715).

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 subject company produces flame-retardant chemicals, including Fyrol PCF, Fyrol FR-2, Fyroflex RDP, Fyroflex BDP, Phosphorus Trichloride, Phosphorous Oxychloride, Phosflex 4, Phosflex TBEP and Fyrol CEF. The workers are not separately identifiable by product line.

The TAA/ATAA petition was denied because during the relevant time period, subject company sales and production increased and the subject company did not shift production abroad.

In the request for reconsideration, the petitioner agrees that subject company sales and production increased during the relevant time period but contends that the increased sales were due to increased imports and infers that the increased imports were the cause of worker separations. Further, the petitioner contends that the Department should investigate imports of

phosphorous, a raw material for phosphorus trichloride.

According to the petitioner, phosphorus trichloride "was the base product for the facility; which was used in 80% of all the manufacturing products." The company confirmed that phosphorous was imported to make phosphorus trichloride and that phosphorus trichloride was, in turn, used to make the other flame-retardant chemicals. The company also stated that although some phosphorus trichloride was sold to customers, the company did not sell any phosphorus.

Increased company imports of article(s) produced at the subject facility could be a basis for TAA certification when there are decreased company sales and/or production and worker separations during the relevant period. However, increased imports of raw material used in production of articles produced at the subject facility cannot be the basis for TAA certification, since the workers do not produce that article. Thus, alleged import increases of a raw material (phosphorous) cannot be a basis for TAA certification for the subject worker group.

**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 21st day of September, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E4-2548 Filed 10-7-04; 8:45 am]

**BILLING CODE 4510-30-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Workforce Investment Act; Native American Employment and Training Allotments**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This Notice announces the Workforce Investment Act (WIA) section 166 final allotments for both the Supplemental Youth Services (SYS) and the Comprehensive Services (CS) programs for Program Year (PY) 2004. These individual grantee allotments are

based on formulas defined in the section 166 program regulations at 20 CFR 668.296(b) for the Comprehensive Services program and 20 CFR 668.440(a) for the Supplemental Youth Services program. The rationale for the formulas is the same as described in the Interim Final Rule and the Final Rule published in the **Federal Register** on April 15, 1999 at 64 FR 18683 and on August 11, 2000 at 65 FR 49373–49375, respectively, and has been in effect for prior years of section 166 funding under WIA. Barring any changes which may arise as the result of WIA reauthorization legislation, the criteria used in these funding formulas will remain in effect for the foreseeable future.

**ADDRESSES:** Submit any written comments on the formulas used to allot these funds to the Employment and Training Administration, Office of Financial and Administrative Management, Room N-4702, 200 Constitution Avenue, NW., Washington, DC 20210, Attention: Ms. Sherry Bailey, (202) 693-2813 (voice), (202) 693-2859 (fax), e-mail: [bailey.sherry@dol.gov](mailto:bailey.sherry@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Greg Gross, Division of Indian and Native American Programs, Office of National Programs, (202) 693-3752 (voice) (this is not a toll-free number) or 1-800-877-8339 (TTY) or speech-to-speech at 1-877-877-8982 (these are toll-free numbers), (202) 693-3818 (fax), e-mail: [gross.gregory@dol.gov](mailto:gross.gregory@dol.gov).

**SUPPLEMENTARY INFORMATION:** The Department of Labor (DOL or Department) is announcing final WIA section 166 formula allotments for PY 2004 (July 1, 2004–June 30, 2005) for both the Supplemental Youth Services and Comprehensive Services programs. This document provides information on the amount of funds available during PY 2004 to section 166 grantees with a two-year Comprehensive Services plan as approved by the Grant Officer, Mr. Eric Luetkenhaus. These allotments are based on the funds appropriated in the Department of Labor Appropriations Act, 2004 (Division E, title I of the Consolidated Appropriations Act, 2004, Pub. L. 108-199). The attached table displays both the PY 2004 Supplemental Youth Services allotments and the PY 2004 Comprehensive Services allotments.

*Supplemental Youth Services Allotments.* Pursuant to WIA section 127(b)(1)(C)(i)(I), PY 2004 SYS funds are \$14,925,890, which represents 1.5 percent of the total PY 2004 WIA youth activities funding level of \$995,059,306. These funds are available and only

allotted to those section 166 grantees (usually federally-recognized tribes or consortia thereof) serving certain areas in which Native American youth reside. These are areas on or near reservations, Native areas in the State of Alaska, tribal jurisdictional areas in Oklahoma, and Native Hawaiian youth in Hawaii. There are no set-asides or other deductions from the total amount listed above, nor are any funds held in reserve. The entire amount of \$14,925,890 has been or will be awarded to the grantees listed in the accompanying table, of which \$4,037,342 has been transferred to the Department of the Interior for those grantees participating in the demonstration under Pub. L. 102-477 (see explanation below).

*Comprehensive Services Allotments.* WIA section 174(a)(2)(A) authorizes not less than \$55,000,000 to fund the section 166 Comprehensive Services program each program year. However, the rescissions contained in Pub. L.

108-199 reduced the total available amount for PY 2004 to \$54,675,500. Of this amount, \$540,000 was reserved for technical assistance and training purposes pursuant to the regulations at 20 CFR 668.296(e); \$54,135,500 was to be allotted to the section 166 grantees. Of this amount, \$7,936,653 was transferred to the Department of the Interior, Office of Self-Governance and Self-Determination, for grantees participating in the demonstration under Pub. L. 102-477, the Indian Employment, Training, and Related Services Demonstration Act of 1992, as amended. The tribes participating in the "477 program" are identified with an asterisk (\*) in the following allotment table.

*Use of 2000 Decennial Census Data.* The 1990 Decennial Census data were used to calculate the PY 2004 funding formulas. The decision to postpone the implementation of 2000 Decennial Census data for a year (until PY 2005)

was recommended by the Census Work Group of the Native American Employment and Training Council and approved as a formal recommendation to the Department by the entire Council in official session. This decision was based in part on the fact that respondents to the 2000 Census had the capability to indicate multiple races/ethnic groups on their forms, requiring that the Department make decisions concerning which data set to use to calculate future section 166 funding formulas. The Department invites comments from the public on this decision, as well as recommendations or suggestions on how to utilize the 2000 Census data in the WIA section 166 program.

Signed at Washington, DC, this 1st day of October, 2004.

**Emily Stover DeRocco,**  
*Assistant Secretary, Employment and Training Administration.*

**U.S. DEPARTMENT OF LABOR, EMPLOYMENT & TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY 2004 FUNDING LEVELS**

State		Grantee	SYS Total \$14,925,890	CS Total \$54,135,500
1	1 AL .....	Inter-Tribal Council of Alabama .....	0	231,198
2	1 AL .....	Poarch Band of Creek Indians .....	4,815	91,507
3	2 AK .....	Aleutian/Pribilof Islands Association*	28,085	25,336
4	2 AK .....	Ilisagvik College .....	53,877	72,663
5	2 AK .....	Association of Village Council Presidents*	222,615	430,101
6	2 AK .....	Bristol Bay Native Association*	59,035	104,983
7	2 AK .....	Central Council of Tlingit and Haida*	171,490	188,717
8	2 AK .....	Chugachmiut*	18,685	17,863
9	2 AK .....	Copper River Native Association*	6,649	20,959
10	2 AK .....	Cook Inlet Tribal Council*	289,446	385,804
11	2 AK .....	Kawerak Incorporated*	91,476	161,890
12	2 AK .....	Kenaitze Indian Tribe .....	25,104	20,484
13	2 AK .....	Kodiak Area Native Association*	33,358	27,509
14	2 AK .....	Maniilaq Association .....	78,064	113,302
15	2 AK .....	Metlakatla Indian Community*	16,048	19,483
16	2 AK .....	Orutsararmuit Native Council*	42,070	45,649
17	2 AK .....	Tanana Chiefs Conference, Inc .....	170,802	311,252
18	4 AZ .....	Affiliation of Arizona Indian Centers .....	0	251,067
19	4 AZ .....	American Indian Association of Tucson .....	0	264,367
20	4 AZ .....	Colorado River Indian Tribes .....	36,912	66,594
21	4 AZ .....	Gila River Indian Community .....	162,663	593,224
22	4 AZ .....	Hualapai Reservation and Trust lands .....	10,202	38,338
23	4 AZ .....	Hopi Tribal Council .....	113,944	281,584
24	4 AZ .....	Inter Tribal Council of Arizona, Inc .....	39,204	97,894
25	4 AZ .....	Native Americans for Community Action .....	0	178,654
26	4 AZ .....	Navajo Nation .....	2,474,561	6,489,199
27	4 AZ .....	Pasqua Yaqui Tribe .....	41,611	110,972
28	4 AZ .....	Phoenix Indian Center, Inc .....	0	809,445
29	4 AZ .....	Salt River Pima-Maricopa Indian Community .....	58,577	138,079
30	4 AZ .....	San Carlos Apache Tribe .....	111,422	340,269
31	4 AZ .....	Tohono O'Odham Nation .....	148,792	463,532
32	4 AZ .....	White Mountain Apache Tribe .....	149,022	447,733
33	5 AR .....	American Indian Center of Arkansas, Inc .....	0	545,118
34	6 CA .....	California Indian Manpower Consortium, Inc .....	161,746	2,706,192
35	6 CA .....	Candelaria American Indian Council .....	0	240,227
36	6 CA .....	Indian Human Resources Center, Inc .....	0	310,181
37	6 CA .....	Northern CA Indian Development Council .....	7,222	221,558
38	6 CA .....	Quechan Indian Tribe .....	20,175	42,797
39	6 CA .....	Southern California Indian Center, Inc .....	0	947,097
40	6 CA .....	Tule River Tribal Council .....	13,641	93,388
41	6 CA .....	United Indian Nations, Inc .....	0	501,822
42	6 CA .....	Ya-Ka-Ama Indian Education & Development .....	0	82,109

## U.S. DEPARTMENT OF LABOR, EMPLOYMENT &amp; TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY 2004 FUNDING LEVELS—Continued

State		Grantee	SYS Total \$14,925,890	CS Total \$54,135,500
43	8	CO .....	Denver Indian Center .....	0 578,298
44	8	CO .....	Southern Ute Indian Tribe .....	19,029 46,168
45	8	CO .....	Ute Mountain Ute Indian Tribe .....	23,156 91,591
46	10	DE .....	Nanticoke Indian Association, Inc .....	0 26,105
47	12	FL .....	Florida Governor's Council on Indian Affairs .....	0 867,223
48	12	FL .....	Miccosukee Corporation .....	4,815 69,664
49	12	FL .....	Seminole Tribe of Florida* .....	24,646 78,431
50	15	HI .....	Ali Like, Inc .....	2,153,706 1,680,225
51	16	ID .....	Nez Perce Tribe* .....	33,587 72,650
52	16	ID .....	Shoshone-Bannock Tribes* .....	44,363 224,642
53	18	IN .....	Indiana American Indian Manpower Council .....	0 245,706
54	20	KS .....	Mid American All Indian Center, Inc .....	0 151,460
55	20	KS .....	United Tribes of Kansas and S.E. Nebraska .....	14,558 233,616
56	22	LA .....	Inter-Tribal Council of Louisiana, Inc .....	3,439 605,578
57	23	ME .....	Penobscot Nation .....	23,385 134,546
58	25	MA .....	Mashpee-Wampanoag Indian Tribal Council .....	0 61,993
59	25	MA .....	North American Indian Center of Boston, Inc .....	0 209,211
60	26	MI .....	Grand Traverse Band of Ottawa & Chippewa .....	4,012 47,942
61	26	MI .....	Inter-Tribal Council of Michigan, Inc .....	45,624 60,714
62	26	MI .....	MI Indian Employment & Training Services .....	0 664,143
63	26	MI .....	North American Indian Association of Detroit .....	0 247,494
64	26	MI .....	Potawatomi Indian Nation .....	0 98,052
65	26	MI .....	Sault Ste. Marie Tribe of Chippewa Indians .....	61,099 210,089
66	26	MI .....	Southeastern Michigan Indians Inc .....	0 122,617
67	27	MN .....	American Indian OIC .....	0 541,525
68	27	MN .....	Bois Forte R.B.C .....	6,075 24,028
69	27	MN .....	Fond Du Lac R.B.C .....	23,958 212,115
70	27	MN .....	Leech Lake R.B.C .....	49,865 193,216
71	27	MN .....	Mille Lacs Band of Chippewa Indians* .....	5,846 43,185
72	27	MN .....	Minneapolis American Indian Center .....	0 399,650
73	27	MN .....	Red Lake Tribal Council* .....	60,296 205,688
74	27	MN .....	White Earth R.B.C.* .....	39,433 144,399
75	28	MS .....	Mississippi Band of Choctaw Indians .....	65,455 259,376
76	29	MO .....	American Indian Council, Inc .....	9,858 591,343
77	30	MT .....	Assiniboine & Sioux Tribes .....	86,318 241,607
78	30	MT .....	Blackfeet Tribal Business Council .....	98,125 318,592
79	30	MT .....	Chippewa Cree Tribe .....	32,785 126,097
80	30	MT .....	Confederated Salish & Kootenai Tribes* .....	92,279 251,527
81	30	MT .....	Crow Indian Tribe .....	80,128 222,363
82	30	MT .....	Fort Belknap Indian Community* .....	34,160 116,654
83	30	MT .....	Montana United Indian Association .....	0 371,063
84	30	MT .....	Northern Cheyenne Tribe .....	67,633 199,896
85	31	NE .....	Indian Center, Inc .....	0 302,881
86	31	NE .....	Omaha Tribe of Nebraska .....	28,085 91,682
87	31	NE .....	Winnebago Tribe* .....	17,195 40,695
88	32	NV .....	Inter-Tribal Council of Nevada .....	74,282 311,476
89	32	NV .....	Las Vegas Indian Center, Inc .....	0 123,074
90	32	NV .....	Reno Sparks Indian Colony* .....	8,827 11,514
91	32	NV .....	Shoshone-Paiute Tribes* .....	13,527 112,046
92	34	NJ .....	Powhatan Renape Nation .....	0 265,543
93	35	NM .....	Alamo Navajo School Board .....	26,824 57,851
94	35	NM .....	Pueblo of Isleta .....	38,516 62,296
95	35	NM .....	Eight Northern Indian Pueblo Council .....	33,243 59,457
96	35	NM .....	Five Sandoval Indian Pueblos, Inc .....	98,469 158,422
97	35	NM .....	Jicarilla Apache Tribe .....	42,987 62,985
98	35	NM .....	Mescalero Apache Tribe .....	39,204 112,428
99	35	NM .....	National Indian Youth Council .....	0 1,173,839
100	35	NM .....	Pueblo of Acoma .....	42,185 147,940
101	35	NM .....	Pueblo of Laguna* .....	50,553 100,219
102	35	NM .....	Pueblo of Taos .....	16,507 48,161
103	35	NM .....	Pueblo of Zuni* .....	122,886 281,697
104	35	NM .....	Ramah Navajo School Board, Inc .....	33,358 113,212
105	35	NM .....	Santa Clara Indian Pueblo .....	19,029 31,023
106	35	NM .....	Santo Domingo Tribe .....	52,043 70,414
107	36	NY .....	American Indian Community House, Inc .....	8,368 569,061
108	36	NY .....	Native American Cultural Center, Inc .....	13,068 188,741
109	36	NY .....	Nat. Am. Comm. Svcs of Erie & Niagara Cty .....	0 164,815
110	36	NY .....	St. Regis Mohawk Tribe .....	28,199 135,876
111	36	NY .....	Seneca Nation of Indians* .....	51,126 200,626
112	37	NC .....	Cumberland County Assoc. for Indian People .....	0 88,106

## U.S. DEPARTMENT OF LABOR, EMPLOYMENT &amp; TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY 2004 FUNDING LEVELS—Continued

State		Grantee	SYS Total \$14,925,890	CS Total \$54,135,500
113	37	NC .....	Eastern Band of Cherokee Indians .....	94,457 224,829
114	37	NC .....	Guilford Native American Association .....	0 53,326
115	37	NC .....	Haliwa-Saponi Tribe, Inc .....	0 70,909
116	37	NC .....	Lumbee Regional Development Association .....	0 931,531
117	37	NC .....	Metrolina Native American Association .....	0 56,566
118	37	NC .....	North Carolina Commission of Indian Affairs .....	0 213,173
119	38	ND .....	Spirit Lake Sioux Tribe* .....	46,541 136,473
120	38	ND .....	Standing Rock Sioux Tribe .....	93,310 232,086
121	38	ND .....	Three Affiliated Tribes o/t Fort Berthold Res* .....	50,209 179,020
122	38	ND .....	Turtle Mountain Band of Chippewa Indians .....	112,683 368,811
123	38	ND .....	United Tribes Technical College .....	0 179,388
124	39	OH .....	North America Indian Cultural Center .....	0 483,988
125	40	OK .....	Absentee Shawnee Tribe of Oklahoma .....	19,258 26,350
126	40	OK .....	Grantee to be determined .....	12,495 29,551
127	40	OK .....	Cherokee Nation of Oklahoma* .....	1,074,102 1,385,789
128	40	OK .....	Cheyenne-Arapaho Tribes .....	111,995 223,399
129	40	OK .....	Chickasaw Nation of Oklahoma* .....	376,452 502,889
130	40	OK .....	Choctaw Nation of Oklahoma .....	500,713 729,332
131	40	OK .....	Citizen Band of Potawatomi Indians of OK* .....	381,954 398,229
132	40	OK .....	Comanche Tribe of Oklahoma .....	102,940 158,564
133	40	OK .....	Creek Nation of Oklahoma .....	488,332 658,529
134	40	OK .....	Delaware Tribe of Oklahoma* .....	14,788 22,692
135	40	OK .....	Four Tribes Consortium of Oklahoma .....	36,568 102,241
136	40	OK .....	Inter-Tribal Council of N.E. Oklahoma .....	58,921 83,113
137	40	OK .....	Kiowa Tribe of Oklahoma .....	96,749 207,497
138	40	OK .....	Native American Resource Center .....	265,717 340,132
139	40	OK .....	Osage Tribal Council* .....	77,491 122,529
140	40	OK .....	Otoe-Missouria Tribe of Oklahoma .....	23,843 41,657
141	40	OK .....	Pawnee Tribe of Oklahoma* .....	29,575 44,123
142	40	OK .....	Ponca Tribe of Oklahoma .....	54,450 101,605
143	40	OK .....	Seminole Nation of Oklahoma .....	71,874 128,813
144	40	OK .....	Tonkawa Tribe of Oklahoma .....	42,070 73,865
145	40	OK .....	United Urban Indian Council, Inc .....	363,384 522,035
146	40	OK .....	Wyandotte Tribe of Oklahoma .....	0 102,747
147	41	OR .....	Confed. Tribes of Siletz Indians of OR* .....	21,895 519,747
148	41	OR .....	Confed. Tribes of the Umatilla Indian Res .....	16,736 37,376
149	41	OR .....	Confederated Tribes of Warm Springs .....	50,438 100,804
150	41	OR .....	Organization of Forgotten Americans .....	0 359,808
151	42	PA .....	Council of Three Rivers .....	0 852,588
152	44	RI .....	Rhode Island Indian Council .....	0 212,032
153	45	SC .....	South Carolina Indian Development Council .....	1,719 155,177
154	46	SD .....	Cheyenne River Sioux Tribe .....	86,203 239,955
155	46	SD .....	Grantee to be determined .....	17,539 44,898
156	46	SD .....	Oglala Sioux Tribe .....	187,653 606,638
157	46	SD .....	Rosebud Sioux Tribe* .....	186,162 469,982
158	46	SD .....	Sisseton-Wahpeton Sioux Tribe* .....	47,572 156,436
159	46	SD .....	United Sioux Tribes Development Corp .....	13,068 462,333
160	46	SD .....	Yankton Sioux Tribe .....	40,924 97,637
161	48	TX .....	Alabama-Coushatta Indian Tribal Council .....	9,514 595,856
162	48	TX .....	Dallas Inter-Tribal Center .....	0 306,285
163	48	TX .....	Ysleta del Sur Pueblo .....	5,044 363,313
164	49	UT .....	Indian Training & Education Center .....	4,356 444,857
165	49	UT .....	Ute Indian Tribe .....	40,350 110,786
166	50	VT .....	Abenaki Self-Help Assoc./NH Indian Council .....	0 109,166
167	51	VA .....	Mattaponi Pamunkey Monacan Consortium .....	0 210,400
168	53	WA .....	American Indian Community Center .....	38,402 422,308
169	53	WA .....	Colville Confederated Tribes* .....	59,953 162,829
170	53	WA .....	Confed. Tribes & Bands o/t Yakama Nation .....	107,639 225,743
171	53	WA .....	Lummi Indian Business Council .....	28,429 96,013
172	53	WA .....	Makah Tribal Council .....	13,068 28,013
173	53	WA .....	Puyallup Tribe of Indians .....	14,558 138,555
174	53	WA .....	Seattle Indian Center .....	0 341,642
175	53	WA .....	The Tulalip Tribes .....	14,558 26,808
176	53	WA .....	Western WA Indian Empl. & Trng. Program .....	104,888 715,209
177	55	WI .....	Ho-Chunk Nation* .....	11,578 183,759
178	55	WI .....	Lac Courte Oreilles Tribal Governing Board .....	37,599 136,477
179	55	WI .....	Lac Du Flambeau Band of Chippewa .....	23,500 74,014
180	55	WI .....	Menominee Indian Tribe of Wisconsin* .....	49,063 141,839
181	55	WI .....	Spotted Eagle, Inc. (Milwaukee AAIMC) .....	0 208,551
182	55	WI .....	Oneida Tribe of Indians of Wisconsin .....	36,682 184,124

## U.S. DEPARTMENT OF LABOR, EMPLOYMENT &amp; TRAINING ADMINISTRATION, WIA TITLE I SECTION 166 GRANTEES, PY 2004 FUNDING LEVELS—Continued

State	Grantee	SYS Total \$14,925,890	CS Total \$54,135,500
183 55 WI .....	Stockbridge-Munsee Indian Community* .....	6,075	66,783
184 55 WI .....	Wisconsin Indian Consortium .....	29,804	129,848
185 56 WY .....	Eastern Shoshone Tribe* .....	26,251	131,267
186 56 WY .....	Northern Arapaho Business Council .....	63,735	223,161

[FR Doc. 04-22681 Filed 10-7-04; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

Employment Standards  
Administration; Wage and Hour  
DivisionMinimum Wages for Federal and  
Federally Assisted Construction;  
General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay

in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

Modification to General Wage  
Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of

publication in the **Federal Register** are in parentheses following the decisions being modified.

## Volume I

None

## Volume II

None

## Volume III

Florida

FL030017 (Jun. 13, 2003)

## Volume IV

Illinois

IL030002 (Jun. 13, 2003)

IL030008 (Jun. 13, 2003)

Minnesota

MN030013 (Jun. 13, 2003)

## Volume V

Kansas

KS030008 (Jun. 13, 2003)

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