

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Windshield Wiper Devices and Components Thereof*, DN 2953; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Acting Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at EDIS,¹ and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its Internet server at United States International Trade Commission (USITC) at *USITC*.² The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *EDIS*.³ Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Federal-Mogul Corporation and Federal-Mogul S.A. on May 9, 2013. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain windshield wiper devices and components thereof. The complaint names as respondents Trico Corporation of MI; Trico Products of TX; and Trico Components of Mexico.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length,

inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;
- (ii) Identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;
- (iii) Identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;
- (iv) Indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and
- (v) Explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number ("Docket No. 2953") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, *Electronic Filing Procedures*.)⁴ Persons with

questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on *EDIS*.⁵

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

Issued: May 9, 2013.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2013-11505 Filed 5-14-13; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. TA-131-038 and TA-2104-030

U.S.-Trans-Pacific Partnership Free Trade Agreement Including Japan: Advice on the Probable Economic Effect of Providing Duty-Free Treatment for Imports

AGENCY: United States International Trade Commission.

ACTION: Institution of investigations and scheduling of hearing.

SUMMARY: Following receipt on April 30, 2013, of a request from the United States Trade Representative (USTR), the Commission instituted investigation Nos. TA-131-038 and TA-2104-030, *U.S.-Trans-Pacific Partnership Free Trade Agreement Including Japan: Advice on the Probable Economic Effect of Providing Duty-Free Treatment for Imports*.

DATES: May 28, 2013: Deadline for filing requests to appear at the public hearing.

May 29, 2013: Deadline for filing pre-hearing briefs and statements.

June 11, 2013: Public hearing.

June 17, 2013: Deadline for filing post-hearing briefs and statements.

June 17, 2013: Deadline for filing all other written submissions.

¹ Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

² United States International Trade Commission (USITC): <http://edis.usitc.gov>.

³ Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

⁴ Handbook for Electronic Filing Procedures: http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf.

⁵ Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

August 21, 2013: Transmittal of Commission report to the USTR.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

FOR FURTHER INFORMATION CONTACT: Karl Tsuji, Project Leader (202-205-3434 or karl.tsuji@usitc.gov), or Kathryn Lundquist, Deputy Project Leader (202-205-2563 or kathryn.lundquist@usitc.gov), for information specific to these investigations. For information on the legal aspects of these investigations, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or william.gearhart@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.olaughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

Background: In his letter of April 30, 2013, the USTR advised the Commission that he has informed the Congress of the President's intention to commence negotiations with Japan in the context of the Trans-Pacific Partnership (TPP) negotiations, and accordingly is requesting that the Commission provide certain advice under section 131 of the Trade Act of 1974 (19 U.S.C. 2151) and an assessment under section 2104(b)(2) of the Trade Act of 2002 (19 U.S.C. 3804(b)(2)) with respect to the effects of providing duty-free treatment for imports from all 11 countries.

More specifically, the USTR, under authority delegated by the President and pursuant to section 131 of the Trade Act of 1974, requested that the Commission provide a report containing its advice as to the probable economic effect of providing duty-free treatment for imports of products from Japan and the other ten countries currently

participating in the TPP negotiations (Australia, Brunei Darussalam, Canada, Chile, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam) on (i) industries in the United States producing like or directly competitive products, and (ii) consumers. The USTR asked that the Commission's analysis consider each article in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States (HTS) for which tariffs will remain, taking into account implementation of U.S. commitments in the World Trade Organization and under U.S. free trade agreements in force between the United States and TPP negotiating partner countries. The USTR asked that the advice be based on the HTS in effect during 2013 and trade data for 2012. The USTR also requested that the Commission, in preparing its advice, assume that any known U.S. nontariff barriers will not be applicable to such imports, and that the Commission note in its report any instance in which the continued application of a U.S. nontariff barrier would result in different advice with respect to the effect of the removal of the duty.

In addition, the USTR requested that the Commission prepare an assessment, as described in section 2104(b)(2) of the Trade Act of 2002, of the probable economic effects of eliminating tariffs on imports from the eleven countries of those agricultural products on the list attached to his letter on (i) industries in the United States producing the product concerned, and (ii) the U.S. economy as a whole. The USTR's request and list of agricultural products are posted on the Commission's Web site at www.usitc.gov. The USTR asked that the Commission identify in its report, among other things, any changes in its advice from the advice delivered on the TPP on November 19, 2012, that did not include Japan. The USTR also stated that the Commission need not repeat analysis and discussion included in that earlier report.

As requested, the Commission will provide its report to the USTR by August 21, 2013. The USTR indicated that those sections of the Commission's report that relate to the advice and assessment of probable economic effects will be classified. The USTR also indicated that he considers the Commission's report to be an inter-agency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege.

This is the fourth such request that the Commission has received from the USTR with respect to the TPP negotiations. In response to an earlier request by the USTR after Canada and

Mexico joined the negotiations, the Commission, delivered a report to the USTR on November 19, 2012, containing its advice and assessment in investigation Nos. TA-131-036 and TA-2104-028, *U.S.-Trans-Pacific Partnership Free Trade Agreement Including Canada and Mexico: Advice on Probable Economic Effect of Providing Duty-Free Treatment for Imports*, relating to the effects of a possible free trade agreement with ten countries.

In response to another request by the USTR after Malaysia joined the negotiations, the Commission delivered a report to the USTR on January 7, 2011, containing its advice and assessment in investigation Nos. TA-131-035 and TA-2104-027, *U.S.-Trans-Pacific Partnership Free Trade Agreement Including Malaysia: Advice on Probable Economic Effect of Providing Duty-Free Treatment for Imports* after Malaysia joined the negotiations, providing certain advice on the effects of providing duty-free treatment for imports for the eight countries.

In response to the initial request from the USTR, the Commission delivered a report to the USTR on June 2, 2010, containing its advice and assessment in investigation Nos. TA-131-034 and TA-2104-026, *U.S.-Trans-Pacific Partnership Free Trade Agreement: Advice on Probable Economic Effect of Providing Duty-Free Treatment for Imports*, relating to the effects of a possible free trade agreement with seven countries (Australia, Brunei Darussalam, Chile, New Zealand, Peru, Singapore, and Vietnam).

Public Hearing: A public hearing in connection with these investigations will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m., June 11, 2013. Requests to appear at the public hearing should be filed with the Secretary not later than 5:15 p.m., May 28, 2013. All pre-hearing briefs and statements should be filed not later than 5:15 p.m., May 29, 2013; and all post-hearing briefs and statements should be filed not later than 5:15 p.m., June 17, 2013. All briefs should be filed in accordance with the requirements in the "Submissions" section below.

Written Submissions: In lieu of or in addition to participating in the hearing and filing briefs and statements relating to the hearing, interested parties are invited to file written submissions concerning these investigations. All written submissions should be addressed to the Secretary, and should be received not later than 5:15 p.m., June 17, 2013. All written submissions must conform to the provisions of

section 201.8 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.8). Section 201.8 and the Commission's Handbook on Filing Procedures require that interested parties file documents electronically on or before the filing deadline and submit eight (8) true paper copies by 12:00 noon eastern time on the next business day. In the event that confidential treatment of a document is requested, interested parties must file, at the same time as the eight (8) paper copies, at least four (4) additional true paper copies in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform to the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

The Commission may include some or all of the confidential business information submitted in the course of the investigations in the report it sends to the USTR. The Commission will not otherwise publish any confidential business information in a manner that would reveal the operations of the firm supplying the information.

Issued: May 9, 2013.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2013-11503 Filed 5-14-13; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-82,289]

American Airlines, a Subsidiary of AMR Corporation, Tulsa International Airport, Fleet Services Clerks, Tulsa, Oklahoma; Notice of Negative Determination Regarding Application for Reconsideration

By application dated April 1, 2013, the State of Oklahoma Employment Security Commission requested administrative reconsideration of the Department of Labor's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of American Airlines, a subsidiary of AMR Corporation, Tulsa International Airport, Fleet Service Clerks, Tulsa, Oklahoma. American Airlines supplies air transportation services. The subject worker group is engaged in activities related to the supply of cargo and baggage handling services and servicing aircraft interiors. The Department's Notice of determination was issued on March 5, 2013 and published in the **Federal Register** on March 26, 2013 (78 FR 18370).

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, filed by three workers, stated "aircraft maintenance has been outsourced to China" and that the fleet services clerks "cleaned aircraft and did light maintenance items such as upholstery, rugs, drafts, and other items."

The negative determination was based on the findings of the initial investigation that revealed that American Airlines did not import the supply of services like or directly competitive with the aircraft interior maintenance services supplied by the subject worker group. The Department did not conduct a customer survey because the aircraft interior maintenance services supplied by the

Fleet Service Clerks are used internally by American Airlines.

The investigation also revealed that the subject worker group separations are not attributable to a shift of aircraft interior maintenance services to a foreign country or to an acquisition of such services from a foreign country by the subject firm.

Further, the investigation revealed that the subject firm is neither a Supplier nor a Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

Finally, the investigation revealed that the group eligibility requirements under Section 222(e) of the Act were not satisfied because the workers' firm has not been publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

The request for reconsideration states: "It is the belief of the employees that their jobs were directly or indirectly affected due to a shift in aircraft maintenance/repair services which are now being performed overseas. The Fleet Service Clerks were responsible for servicing aircraft interiors. Since those aircraft are now receiving maintenance overseas, the duty of servicing the interiors of the affected aircraft is no longer being conducted in Tulsa." The request for reconsideration did not include documents in support of the request.

The request for reconsideration did not supply facts not previously considered nor provided additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination. Based on these findings, the Department determines that 29 CFR 90.18(c) has not been met.

Conclusion

After careful 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.