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 Flowserve, Williamsport, Pennsylvania 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 petitioners allege that they are import impacted because their company's contract with a foreign customer ''specifies that 50% of the contract work will be done at (foreign) facilities.'' Further, the petitioners note that Flowserve is required to buy valves and materials from foreign vendors and re-sell them to their foreign customer ''thus taking work away from Williamsport.''

Contact with a company official confirmed that all production for this customer was exclusively for export purposes.

As trade adjustment assistance is concerned exclusively with whether imports impact layoffs of petitioning worker groups, the above-mentioned allegations regarding agreements between the subject firm and their foreign customer base are irrelevant.

The petitioners list several Flowserve affiliates that have been certified for trade adjustment assistance due to import impact, and suggest that, as a result, the petitioning worker group should be equally eligible.

In fact, all of the facilities listed by the petitioners were certified due to increased imports from the company of products like or directly competitive with those produced at the certified facilities. In the case of the subject firm, sales and production were relatively stable during the investigative period and any declines immediately prior to plant closure corresponded with a shift of production to an affiliated domestic facility. There was no evidence of import impact; as has been established above, the only foreign production impact allegations did not concern imports.

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 8th day of April, 2003.

Edward A. Tomchick

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–9148 Filed 4–14–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–50,016]

Laird Techonolgies, Delaware Watergap, PA; Notice of Negative Determination on Reconsideration

By application of February 11, 2003, a petitioner 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 February 3, 2003, and will soon be published in the **Federal Register**.

The petition for the workers of Laird Technologies, Delaware Watergap, Pennsylvania 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 ''contributed importantly'' test is generally demonstrated through a survey of customers of the workers' firm. The survey revealed that none of the respondents increased their purchases of imported metal stampings.

The petitioner states that the Department did not address allegations indicated in the petition of the subject firm as a ''secondarily'' affected firm. The petitioner further states that a list of trade certified firms that were also subject firm customers was attached to the petition.

Upon review of the original investigation, it appears that the Department overlooked the petitioners' assertion that they acted as an upstream supplier to firms listed on an attached page that were allegedly trade certified. A company official was contacted in regard to this list of customers in order to establish which facility locations may have been customers of the subject firm in the relevant period, and the amount of business that these customers accounted for at the subject firm. Of the listed firms that were revealed as trade certified, the customer sales data provided by the company official revealed that these customers cumulatively accounted for a negligible amount of the customer base, and thus did not contribute to layoffs at the subject firm.

Furthermore, as established in the original investigation, the preponderance in sales, production and employment declines are attributed to the subject firm's shifting a portion of production that services the export market, and therefore is unrelated to import impact.

In conclusion, the ''upstream supplier'' group eligibility requirement of section 222(b) of the Trade Act of 1974, as amended, was not met.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Laird Technologies, Delaware Watergap, Pennsylvania.

Signed at Washington, DC this 2nd day of April, 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–9147 Filed 4–14–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–50,588]

Murray Engineering, Inc., Complete Design Service, Flint, MI; Notice of Negative Determination Regarding Application for Reconsideration

By application received on February 19, 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 Murray Engineering, Inc., Complete Design Service, Flint, Michigan was signed on February 5, 2003, and published in the **Federal Register** on February 24, 2003 (68 FR 8620).

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 Murray Engineering, Inc., Complete Design Service, Flint, Michigan engaged in activities related to industrial design and 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 their services should be considered production because it involves a ''tangible drawing essential and integral to the making or building of a product.''

The engineering drawings and schematics prepared by subject firm workers services are not considered production within the meaning of section 222(3) of the Act.

The petitioner also asserts that the Department may be misled by the subject firm's name into thinking that there is not a tangible product involved, but states that subject firm workers produce ''design product on paper.''

Electronically generated information does not constitute production within the meaning of the Trade Act, and the fact that this information is generated on paper is irrelevant to worker group eligibility for trade adjustment assistance.

Finally, the petitioner appears to assert that the companies that produced the machines designed by the subject firm were certified and questions whether the Department has ''discriminated'' against the subject firm ''because of a company name.''

The subject firm does not produce the same product as its customers, nor do the subject firm workers produce a component that is integrated into further production by its customers. Thus, the issue of whether the subject firm's customers are certified or not is irrelevant in context with the petitioning worker group's eligibility for TAA. The design services produced by the subject firm do not constitute production within the meaning of section 222(3) of the Trade Act.

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.

In conclusion, the workers at the subject firm did not produce an article within the meaning of section 222(3) of the Trade Act 1974.

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 in Washington, DC, this 31st day of March, 2003.

Edward A. Tomchick,

Director, Division of Trade Adjustment Assistance.

[FR Doc. 03–9151 Filed 4–14–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–50,284]

Newell Rubbermaid Corporation, Newell Window Furnishings, Newell Operating Company, Levelor Hardware Group, Amerock Hardware Division, Bulldog Hardware Division, Ogdenburg, NY; 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 December 19, 2002, applicable to workers of Newell Rubbermaid Corp., Levelor Hardware Group, Amerock Hardware Div., Bulldog Hardware Div., Ogdenburg, New York. The notice was published in the **Federal Register** on January 9, 2003 (68 FR 1200).

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 hardware items such as nuts, bolts and screws.

New information shows that some workers separated from employment at the subject firm had their wages reported under separate unemployment insurance (UI) tax accounts for Newell Window Furnishings and Newell Operating Company.

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 Newell Rubbermaid Corp., Newell Window Furnishings, Newell Operating Company, Levelor Hardware Group, Amerock Hardware Div., and Bulldog Hardware Div., all in Ogdenburg, New York who were adversely affected by increased imports.

The amended notice applicable to TA–W–50,284 is hereby issued as follows:

All workers of Newell Rubbermaid Corp., Newell Window Furnishings, Newell Operating Company, Levelor Hardware Group, Amerock Hardware Div., Bulldog Hardware Div., Ogdenburg, New York, who became totally or partially separated from employment on or after November 27, 2001, through December 19, 2004, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 7th day of April, 2003.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–9149 Filed 4–14–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–50,934 and TA–W–50,934A]

Shadowline, Incorporated, Morganton, North Carolina and Shadowline, Incorporated, Boone, NC; 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 March 10, 2003, applicable to workers of Shadowline, Incorporated, Morganton, North Carolina. The notice will soon be published in the **Federal Register**.

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers produced lingerie. Information contained in the record shows that the company intended workers in Boone, North Carolina to be included in the certification. The workers at both North Carolina locations are considered by the company as one worker group. Data collected from the company official were for both locations.

It is the Department's intent to include all workers of Shadowline, Incorporated, adversely affected by increased imports. Accordingly, the Department is amending the certification to include all workers of