

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

[TA-W-52,333]

**Kline Iron and Steel Company, Inc.,  
West Columbia, SC; Notice of  
Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on July 16, 2003, in response to a worker petition which was filed by a company official on behalf of workers at Kline Iron and Steel Company, Inc., West Columbia, South Carolina (TA-W-52,333).

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 6th day of August, 2003.

**Linda G. Poole,***Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. 03-21016 Filed 8-15-03; 8:45 am]

BILLING CODE 4510-30-P

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

[TA-W-51,541]

**Luzenac America, Inc., Windsor, VT;  
Notice of Negative Determination  
Regarding Application for  
Reconsideration**

By application of July 7, 2003, a company official 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 was signed on May 23, 2003 and published in the **Federal Register** on June 19, 2003 (68 FR 36845).

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 TAA petition, filed on behalf of workers at Luzenac America, Inc., Windsor, Vermont engaged in the production of talc products, was denied because criteria (a)(2)(A)(IB) and (IIB) were not met. Production of talc products at the subject plant increased from 2001 to 2002 and from January through March of 2002 to the corresponding period of 2003, and the company did not shift production to a foreign source in this period.

In the request for reconsideration, the company official states that sales and production declines will occur in the near future in conjunction with a scheduled shift in production to Canada and a subsequent production shut down at the subject firm.

Regardless of imminent and certain sales and production declines, criterion (a)(2)(A)(I.B) requires an "existing" sales and/or production decline at the subject firm. Alternatively, workers might be eligible for TAA if the company had begun shifting production of like or directly competitive talc products to Canada. However, that event has not yet occurred and thus no shift of production is indicated in the relevant period of this investigation. Thus criterion (IIB) has not been met.

Should conditions change in the future, the company is encouraged to file a new petition on behalf of the worker group which will encompass an investigative period that will include these changing conditions.

**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 1st day of August, 2003.

**Elliott S. Kushner,***Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. 03-21022 Filed 8-15-03; 8:45 am]

BILLING CODE 4510-30-P

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

[TA-W-52,454]

**Pillowtex Corporation, Scottsboro, AL;  
Notice of Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on August 4,

2003, in response to a petition filed by the Union of Needletrades, Industrial and Textile Employees (UNITE) on behalf of workers at Pillowtex Corporation, Scottsboro, Alabama.

The Union has requested that the investigation be terminated. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 8th day of August, 2003.

**Elliott S. Kushner,***Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. 03-21015 Filed 8-15-03; 8:45 am]

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

[TA-W-51,049]

**Raytheon Aircraft Company, Wichita,  
KS; Notice of Negative Determination  
Regarding Application for  
Reconsideration**

By application of June 13, 2003, the International Association of Machinists and Aerospace Workers, District Lodge No. 70, 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 May 14, 2003, and published in the **Federal Register** on June 3, 2003 (68 FR 33196).

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 petition for the workers of Raytheon Aircraft Company, Wichita, Kansas 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 small business jets. The company did not import small business jets, and workers are not separately identifiable by product line nor did the company shift production to a foreign source.

The union alleges that the company is importing components for the JATAPs trainer planes produced at the subject facility.

A company official was contacted in regard to these issues. As a result, it was revealed that aft fuses, ribsets and harnesses are being built by both a Greek manufacturer and at the Wichita facility for planes sold to both the U.S. government and the Greek government. The investigation further revealed that the foreign production has not affected production levels at the Wichita facility, have not resulted in layoffs at the subject facility, and represent a negligible percentage of overall plant production.

The union further appears to allege that the company is importing an electrical systems integrator from the Netherlands, and is importing other components from a foreign firm known as Folker Elmo.

Contact with the company revealed that components for the Hawker Horizon (a new midsize jet that is significantly more powerful and larger than planes currently produced at Raytheon) are being built by Folker Elmo in the Netherlands. The company official further clarified that this is the only production built in the Netherlands. Since this production has never been produced at the subject firm, and the final product is not like or directly competitive with those produced at the subject firm, this production has no bearing on subject firm workers' ability to meet the relevant criterion for TAA eligibility.

### 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 1st day of August, 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-21018 Filed 8-15-03; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-52,468]

#### Union Underwear Co., Inc., a.k.a. Fayette Cotton Mills, Inc., Fayette, AL; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on August 5, 2003, in response to a worker petition filed by a company official on behalf of workers at Union Underwear Co., Inc., a.k.a. Fayette Cotton Mills, Inc., Fayette, Alabama.

The petitioning group of workers is covered by an active certification issued on May 13, 2002 and which remains in effect (TA-W-41,349). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 6th day of August, 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-21014 Filed 8-15-03; 8:45 am]

BILLING CODE 4510-30-P

## MERIT SYSTEMS PROTECTION BOARD

### Notice of Proposed New System of Records Under the Privacy Act of 1974

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Notice of New System of Records.

**SUMMARY:** As required by the Privacy Act of 1974, 5 U.S.C. 552a, the Merit Systems Protection Board (Board) is publishing a notice proposing establishment of a new system of records. This new records system is the Emergency Contact Data Base System. These records are used by Board officials to identify individuals for Board officials to contact in the case of an emergency involving the employee or the employee's office. The information may also be used to contact flexiplace employees working away from Board offices regarding Board mission-related matters.

**DATES:** This system of records becomes effective as proposed, without further notice, on October 17, 2003, unless comments are received which would result in a contrary determination.

**ADDRESSES:** Comments may be mailed to the Merit Systems Protection Board, Office of the Clerk of the Board, 1615 M

Street, NW., Washington, DC 20419, or faxed to the same address on 202-653-7130. Electronic mail comments may be sent via the Internet to [mspb@mspb.gov](mailto:mspb@mspb.gov).

**FOR FURTHER INFORMATION CONTACT:** Arlin Winefordner, Office of the Clerk of the Board, 202-653-7200.

Dated: August 11, 2003.

**Bentley Roberts,**  
*Clerk of the Board.*

#### SYSTEM NAME:

MSPB/INTERNAL-9, Emergency Contact Data Base System.

#### SYSTEM LOCATION:

Financial and Administrative Management, Merit Systems Protection Board (MSPB), 1615 M Street, NW., Washington, DC 20419.

#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees of MSPB.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of information about employees of the Board, including: Name, organizational unit, work telephone number(s), home and cellular telephone number(s) and work-at-home schedule for employees working on flexiplace. It will also have the name, address, relationship, home and office telephone number(s), home and office cellular phone number(s), and home and office e-mail address of an individual(s) to contact in the event of a medical or other emergency involving the employee or the employee's office.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1204.

#### PURPOSE:

These records are used by Board officials to identify individuals for Board officials to contact in the case of an emergency involving the employee or the employee's office. The information may also be used to contact flexiplace employees working away from Board offices regarding Board mission related matters.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

These records and information in these records may be used:

To locate a person or persons to contact in the event of an emergency involving the individual and/or the employee's office.

To disclose information to another Federal agency, to a court, or a party in litigation before a court, or in an administrative proceeding being